UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/111
28 November 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD
Twenty-eighth session
24 September-12 October 2001

REPORT ON THE TWENTY-EIGHTH SESSION

(Geneva, 24 September - 12 October 2001)

GE.01-46392 (E) 110102

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I. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 12 October 2001, the closing date of the twenty-eighth session of the Committee on the Rights of the Child, there were 191 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in annex I to the present report.

2. As at the same date, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified or acceded to by 6 States parties and signed by 84 States. Also at the same date, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified or acceded to by 8 States parties and signed by 74 States. The two Optional Protocols to the Convention were adopted by the General Assembly in resolution 54/263 of 25 May 2000 and opened for signature and ratification or accession in New York on 5 June 2000. A list of States that have signed, ratified or acceded to the two Optional Protocols to the Convention are contained in annexes II and III to the present report.

3. The texts of the declarations, reservations or objections made by States parties with respect to the Convention are reproduced in document CRC/C/2/Rev.8.

B. Opening and duration of the session

4. The Committee on the Rights of the Child held its twenty-eighth session at the United Nations Office at Geneva from 24 September to 12 October 2001. The Committee held 28 meetings (722nd-749th). An account of the Committee's deliberations at its twenty-eighth session is contained in the relevant summary records (CRC/C/SR.722-734; 737-741; 743-746; and 749).

C. Membership and attendance

5. All the members of the Committee attended the twenty-eighth session. A list of the members, together with an indication of the duration of their terms of office, is provided in annex IV to the present report. Mrs. Amina Hamza El Guindi and Mr. Ibrahim Abdul Aziz El-Sheedi were not able to attend the session in its entirety. Mrs. Marilia Sardenberg was not able to attend the session.

6. The following United Nations bodies were represented at the session: Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees (UNHCR).

7. The following specialized agencies were also represented at the session: International Labour Organization (ILO), World Health Organization (WHO).

8. Representatives of the following non-governmental organizations were also in attendance at the session:

General consultative status

International Council of Women, International Movement ATD Fourth World, Zonta International.

Special consultative status

Arab Organization for Human Rights, Amnesty International, Coalition against Trafficking in Women, Defence for Children International, International Commission of Jurists, International Confederation of Free Trade Unions, International Confederation of Social Workers, International Federation of Women in Legal Careers, International Federation Terre des Hommes, International Service for Human Rights, World Federation of Methodist and Uniting Church Women, World Organization against Torture.

Others

NGO Group for the Convention on the Rights of the Child, NGO Working Group for Nutrition, International Baby Food Action Network.

D. Agenda

9. At the 722nd meeting, on 24 September 2001, the Committee adopted the following agenda on the basis of the provisional agenda (CRC/C/109):

1. Adoption of the agenda.

2. Organizational matters.

3. Submission of reports by States parties.

4. Consideration of reports of States parties.

5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.

6. Day of general discussion.

7. Methods of work.

8. General comments.

9. Future meetings.

10. Other matters.

E. Pre-sessional working group

10. In accordance with a decision of the Committee at its first session, a pre-sessional working group met in Geneva from 11 to 15 June 2001. All the members except Mr. Al-Sheedi and Ms. El-Guindi participated in the working group. Representatives of OHCHR, ILO, UNICEF, UNESCO, UNHCR and WHO also participated. A representative of the NGO Group for the Convention of the Rights of the Child, as well as representatives from various national and international non-governmental organizations, also attended.

11. The purpose of the pre-sessional working group is to facilitate the Committee's work under articles 44 and 45 of the Convention, primarily by reviewing State party reports and identifying in advance the main questions that would need to be discussed with the representatives of the reporting States. It also provides an opportunity to consider questions relating to technical assistance and international cooperation.

12. Members of the Committee elected Ms. Judith Karp, Ms. Awa Ouedraogo and Mr. Jaap Doek to chair the pre-sessional working group. The latter held eight meetings, at which it examined lists of issues put before it by members of the Committee relating to the initial reports of seven countries (Cameroon, Kenya, Mauritania, Gambia, Uzbekistan, Qatar and Cape Verde) and the second periodic reports of two countries (Paraguay and Portugal). The lists of issues were transmitted to the Permanent Missions of the States concerned with a note requesting written answers to the issues raised in the list, if possible, before 1 August 2001.

F. Organization of work

13. The Committee considered the organization of work at its 722nd meeting, on 24 September 2001. The Committee had before it the draft programme of work for the twenty-eighth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee, and the report of the Committee on its twenty-seventh session (CRC/C/108).

G. Future regular meetings

14. The Committee noted that its twenty-ninth session would take place from 14 January to 1 February 2002 and that its pre-sessional working group for the thirtieth session would meet from 4 to 8 February 2002.

II. REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

A. Submission of reports

15. The Committee had before it the following documents:

(a) Notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.3), 1994 (CRC/C/11/Rev.3), 1995 (CRC/C/28), 1996 (CRC/C/41), 1997 (CRC/C/51), 1998 (CRC/C/61) and 1999 (CRC/C/78); and on periodic reports of States parties due in 1997 (CRC/C/65), 1998 (CRC/C/70), 1999 (CRC/C/83), 2000 (CRC/C/93) and 2001 (CRC/C/104);

(b) Note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/110);

(c) Note by the Secretary-General on the follow-up to the consideration of initial reports by States parties to the Convention (CRC/C/27/Rev.11);

(d) Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee (CRC/C/40/Rev.19).

16. The Committee was informed that, in addition to the 10 reports that were scheduled for consideration by the Committee at its current session and those which had been received prior to the Committee's twenty-eighth session (see CRC/C/108, para. 22), the Secretary-General had received the initial report of Estonia (CRC/C/8/Add.45) and the second periodic reports of Bangladesh (CRC/C/65/Add.21), Georgia (CRC/C/104/Add.1), Germany (CRC/C/83/Add.7) and Slovenia (CRC/C/70/Add.19).

17. A list of initial and second periodic reports considered by the Committee as of 12 October 2001, as well as a provisional list of initial and second periodic reports scheduled for consideration at the Committee's twenty-ninth and thirtieth sessions, are contained in annexes VI and VII, respectively.

18. As at 12 October 2001, the Committee had received 163 initial and 51 periodic reports. A total of 164 reports (145 initial and 19 second periodic) have been considered by the Committee (see annex VI).

19. In a note verbale dated 4 July 2001, the Government of Iraq submitted information regarding alleged incidents that took place in northern Iraq on 19 June 2001.

20. In a note verbale dated 1 August 2001, the Government of Latvia submitted its observations to the Committee concerning the concluding observations (CRC/C/15/Add.142) adopted at its twenty-seventh session.

21. On 16 August 2001, the Committee sent a letter to the Ministers for Foreign Affairs of all States parties to the Convention that have not yet notified their acceptance of the amendment to article 43.2 of the Convention encouraging them to do so. Since then, Côte d'Ivoire, Rwanda, Djibouti, Cyprus, Cameroon and Yugoslavia have notified their acceptance of the amendment, bringing the total to 105 acceptances (128 are needed for the amendment to enter into force).

22. On 17 August 2001, the Committee sent a letter to Mr. Yasser Arafat, President of the Palestinian Authority, and Mr. Ariel Sharon, Prime Minister of Israel, calling upon all parties in conflict in the region to take all feasible measures to end the violence and protect children from involvement in hostilities.

23. On 9 October 2001, the Committee received a letter from the Ambassador of Israel to the United Nations Office at Geneva transmitting two video documentaries on the situation of children with regard to the conflict in the region.

24. At its twenty-eighth session, the Committee examined initial and periodic reports submitted by 10 States parties under article 44 of the Convention. It devoted 20 of its 28 meetings to the consideration of reports (see CRC/C/SR.723-728; 731-734 and 737-746).

25. The following reports, listed in the order in which they were received by the Secretary-General, were before the Committee at its twenty-eighth session: Portugal (CRC/C/65/Add.11), Paraguay (CRC/C/65/Add.12), Oman (CRC/C/78/Add.1); Qatar (CRC/C/51/Add.5), Gambia (CRC/C/3/Add.61), Cape Verde (CRC/C/11/Add.23), Uzbekistan (CRC/C/41/Add.8), Kenya (CRC/C/3/Add.62), Mauritania (CRC/C/8/Add.42), Cameroon (CRC/C/28/Add.16).

26. In accordance with rule 68 of the provisional rules of procedure of the Committee, representatives of all the reporting States were invited to attend the meetings of the Committee at which their reports were examined.

27. The following sections, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain concluding observations reflecting the main points of discussion and indicating, where necessary, issues that require specific follow-up. More detailed information is contained in the report submitted by the States parties and in the summary records of the relevant meetings of the Committee.

B. Consideration of reports

Mauritania

28. The Committee considered the initial report of Mauritania (CRC/C/8/Add.42), submitted on 18 January 2000, at its 723rd and 724th meetings (see CRC/C/SR.723-724), held on 25 September 2001, and adopted, at its 749th meeting (CRC/C/SR.749) held on 12 October 2001, the following concluding observations.

A. Introduction

29. The Committee welcomes the submission of the State party's initial report, which generally follows the guidelines for reporting, and the timely submission of the written replies to its list of issues (CRC/C/Q/MAU.1). However, it regrets the almost seven-year delay in submitting this report. It further notes with appreciation the high-ranking delegation sent by the State party and welcomes the frank dialogue and the positive reactions to the suggestions and recommendations made during the discussion.

B. Positive aspects

30. The Committee welcomes the recent adoption of the Personal Status Code, which contains provisions to protect children, including the prohibition of early marriage; of the act making basic education compulsory for all children between the ages of 6 and 14; and of an amended Labour Code in compliance with the Convention which prohibits child labour before the age of 16.

31. The Committee notes with satisfaction the establishment in 1992 of the Secretariat of State for the Status of Women and of the National Council for Children to promote children rights and prepare policies and programmes on children, as well as the establishment of juvenile courts in all the main towns of the *wilayas* (regions). It further commends the establishment of the "Mauritanian Mayors in Defence of Children Initiative" to deal with children's issues at local level, of the Parliamentary Children's Group and of the Municipal Children's Council.

32. The Committee takes note with satisfaction of the series of conferences designed to familiarize administrators, teachers, legal staff and civil society with the Convention. It further welcomes the signature on 22 August 2001 of the joint UNDP-OHCHR technical cooperation project in the framework of the HURIST programme.

33. The Committee appreciates the establishment of a national commission to coordinate the preparation of the initial report composed of representatives of the ministerial departments concerned with the Convention and of representatives of the civil society.

C. Factors and difficulties impeding progress in the implementation of the Convention

34. The Committee notes with concern that economic and social difficulties facing the State party have a negative impact on the situation of children and are impeding the full implementation of the Convention, especially in rural and remote areas. In particular, it notes the negative impact of desertification and drought that, by causing an accelerated urbanization and uncontrolled exodus from rural areas, increases the level of poverty and the dismantling of family structures.

35. The Committee further notes that the limited availability of skilled human resources, particularly in rural and remote areas, also adversely affects the full implementation of the Convention.

D. Principal areas of concern and recommendation

1. General measures of implementation

Legislation

36. The Committee, while taking note that the adoption of some national codes is currently being considered, in particular a new criminal code and a code of criminal procedure for juveniles, remains nevertheless concerned that domestic and customary laws still do not fully comply with the provisions and principles of the Convention.

37. **The Committee encourages the State party:**

(a) To take all necessary measures to ensure that its domestic legislation, including customary laws, conforms fully to the principles and provisions of the Convention;

(b) To ratify the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) To ratify the African Charter on the Rights and Welfare of the Child; and

(d) To seek technical assistance from, among others, UNICEF and OHCHR.

Coordination

38. The Committee, while noting the establishment of a National Council for Children which should provide coordination between government departments and ministries, expresses its concern at the lack of an effective inter-institutional mechanism for coordinating the implementation of the Convention both at the national and local levels. Further, the Committee notes with concern that most of the goals in the National Plan of Action for the period 1992-2001 were not reached.

39. **The Committee recommends that the State party:**

(a) Take all necessary measures to allocate principal responsibility for the coordination of the implementation of the Convention at both national and local levels to a single body or mechanism;

(b) Allocate for this purpose adequate human and financial resources for its effective performance; and

(c) For the preparation of the new National Plan of Action 2002-2012, take into account the obstacles met when implementing the National Plan of Action 1992-2001 and the results of the mid-term evaluation and of the review made for the end-of-decade report.

Budgetary allocations

40. The Committee notes with concern that budgetary allocations for children are insufficient to respond to national and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between rural and urban areas with respect to services provided to children.

41. **In light of article 4 of the Convention, the Committee recommends that the State party:**

(a) Strengthen its efforts to reduce poverty and its impact on children;

(b) Identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated to the "maximum extent of available resources" for the implementation of the rights recognized in the Convention, including the economic, social and cultural rights of children, in particular at local level and for children belonging to the most vulnerable groups in society; and

(c) Take the necessary measures to identify the amount and proportion of the budget spent on children at the national and local levels, including the resources from international aid programmes, in order to adequately evaluate its impact on children.

Monitoring

42. The Committee expresses its concern at the absence of an independent mechanism, such as an ombudsman or a commission for children, to monitor children's rights and to receive and address individual complaints from children on violations of their rights under the Convention. It further takes note that there are ongoing discussions on the establishment of such a body.

43. **The Committee encourages the State party to pursue its efforts with a view to developing and establishing an independent and effective mechanism, provided with adequate human and financial resources and easily accessible to children and in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), that:**

(a) Monitors the implementation of the Convention;

(b) Deals with complaints from children in a child-sensitive and expeditious manner; and

(c) Provides remedies for violations of their rights under the Convention.

In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

Data collection

44. The Committee is concerned at the lack of disaggregated data and indicators for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

45. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention, disaggregated by gender, age, minority and ethnic groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect, or ill-treatment; children with disabilities; children belonging to ethnic groups; refugee and asylum-seeking children; children in conflict with the law; working children; children living in the streets and in rural areas; and

(b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Dissemination and training

46. While noting that some efforts have been undertaken by the State party in order to disseminate the Convention in Mauritania, the Committee expresses its concern that they targeted only very specific groups and not the general population. Further, it notes with concern that the Convention is not available in the national languages spoken in the State party.

47. **The Committee recommends that the State party:**

(a) Translate informative material into the national languages, such as Pulaar, Suninké and Wolof, and disseminate it effectively;

(b) Develop more creative methods to promote the Convention, including through audiovisual aids such as picture books and posters, in particular at local level;

(c) Provide further adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators and health personnel;

(d) Fully integrate the Convention into the curricula at all levels of the educational system; and

(e) Seek technical assistance from, among others, UNICEF, UNESCO and OHCHR.

2. Definition of the child

48. The Committee notes that the newly adopted Personal Status Code sets the minimum age for marriage at 18, but it expresses its concern about the disparity between the legal minimum age for admission to employment (16 years) and the age for the end of compulsory education (14 years).

49. **In light of articles 1 and 2 of the Convention, the Committee recommends that the State party ensure that the minimum age for marriage is fully enforced in practice, and that the population is aware of its existence, in order to bring an end to the practice of early marriage of girls. It further recommends that the State party redefine the minimum age for the end of compulsory education so that it corresponds to the age for admission to employment.**

3. General principles

General principles

50. The Committee is concerned that the principles of non-discrimination (art. 2 of the Convention), best interests of the child (art. 3), right to life and maximum possible survival and development of the child (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and practices relevant to children at both national and local levels.

51. **The Committee recommends that the general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12:**

(a) Be appropriately integrated in all relevant legislation concerning children;

(b) Be applied in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children; and

(c) Guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.

Non-discrimination

52. The Committee is concerned by the persistence of discrimination in the State Party. In particular, the Committee is concerned by the occurrence of discrimination against children belonging to minorities, children with disabilities and, at the cultural level, girls. Moreover, the Committee is concerned at the discrepancies in the enjoyment of rights in relation to certain vulnerable groups: children living in rural areas, refugee children, children from poor families, children working on the streets and children born out of wedlock.

53. **In light of article 2 of the Convention, the Committee recommends that the State party:**

(a) Make concerted efforts at all levels to address discrimination, notably discrimination based on gender, national, ethnic or social origin and disability, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups;

(b) Ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination; and

(c) Include specific information in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education).

4. Civil rights and freedoms

Birth registration

54. While noting Act No. 96/020 of 19 June 1996 on the obligation to register every child's birth and the establishment of a Secretariat of State for Civil Registration, the Committee is nevertheless concerned at the difficulties that are still experienced in registering, organizing and keeping civil registry records, in particular in rural areas.

55. **In light of article 7 of the Convention, the Committee recommends that the State party:**

(a) Continue to develop more widespread awareness among the population, including through public information campaigns, of the importance of immediate birth registration; and

(b) Improve the registration procedures and system in order to reach all families, in particular in rural and remote areas, and facilitate the registration of the births of their children.

Corporal punishment

56. The Committee is concerned that corporal punishment of children is widely practised in the family. It further notes that it is not expressly banned in schools and institutions.

57. **In light of articles 3, 19, and 28 (2) of the Convention, the Committee encourages the State party to:**

(a) Develop measures to raise awareness on the harmful effects of corporal punishment and engage in the promotion of alternative forms of discipline in families to be administered in a manner consistent with the child's dignity and in conformity with the Convention; and

(b) Explicitly prohibit corporal punishment in the family, in schools and in other institutions.

5. Family environment and alternative care

Assistance to vulnerable families

58. The Committee notes with concern the high number of female-headed families, in particular in the capital, which are particularly vulnerable to poverty.

59. **In light of article 18 of the Convention, the Committee recommends that the State party ensure assistance to female-headed families in the performance of their child-rearing responsibilities, in particular with regard to access to health and education, and strengthen its programme of microcredits.**

Child abuse and neglect

60. The Committee notes with concern that there is no procedure available for children who are abused and or neglected within the family.

61. **In light of article 19 of the Convention, the Committee recommends that the State party:**

(a) Establish effective procedures and mechanisms to receive, monitor and investigate complaints about child abuse and neglect, including intervention where necessary;

(b) Prosecute cases of ill-treatment, ensuring that the abused child is not victimized in legal proceedings;

(c) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases; and

(d) Provide proper alternative placement when this is in the best interest of the child.

Recovery of children's maintenance allowance

62. The Committee expresses its concern at the lack of implementation of the legislation on maintenance, due mainly to widespread ignorance of the law or to psychological reasons, i.e. pride or shame.

63. **In light of article 27 (4) of the Convention, the Committee recommends that the State party:**

(a) Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning maintenance allowance; and

(b) Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter about the recovery of allowances from solvent parents who refuse to pay.

6. Basic health and welfare

Health and health services

64. The Committee is concerned at the poor situation of maternal, child and the reproductive health and the limited access to health care. In particular, it notes the lack of qualified medical and paramedical staff and the shortage of medicines and equipment in rural areas. It further notes that infant, child and maternal mortality rates, as well as abortion and malnutrition rates, are particularly high in rural areas and in poor urban areas. The Committee also takes note of the low immunization rates and of the resurgence of tuberculosis.

65. **In light of article 24 of the Convention, the Committee recommends that the State party:**

(a) Allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary care and further decentralizing the health care system;

(b) Reduce child mortality and morbidity by providing adequate antenatal and postnatal health care services;

(c) Develop campaigns to inform parents of basic knowledge about child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation; and

(d) Look to international cooperation for the full and efficient implementation of the immunization programme.

Children with disabilities

66. While noting that the State party has developed a strategy for the integration and development of children with disabilities involving community-based rehabilitation, the Committee remains nevertheless concerned about the huge number of children with disabilities who are institutionalized, the general lack of resources and specialized staff for these children and the absence of support for their families.

67. **In light of article 23 of the Convention, the Committee recommends that the State party:**

(a) Undertake measures to ensure that the situation of children with disabilities is adequately monitored in order to assess effectively their situation and needs;

(b) Allocate the necessary resources for programmes and facilities for all children with disabilities, especially the ones living in rural areas, and further develop community-based programmes in order for the children to be able to stay at home with their families;

(c) Provide professional and financial support to families;

(d) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69), further encourage their inclusion into society and their integration into the regular educational system, including by providing special training to teachers and by making schools more accessible; and

(e) Seek technical assistance from, among others, WHO and UNICEF.

Adolescent health

68. The Committee expresses its concern regarding the high rates of early pregnancy, the rise in the number of children and youths using tobacco and drugs, and the growing number of cases of HIV/AIDS among youths. Further, it notes the limited availability of programmes and services in the area of adolescent health, including mental health, in particular treatment and rehabilitation programmes for drug addiction. It also notes the lack of sufficient prevention and information programmes, especially on reproductive health, in schools.

69. **The Committee recommends that the State party:**

(a) Undertake a comprehensive and multidisciplinary study to assess the scope of adolescent health problems, including the negative impact of HIV/AIDS, in order to be able to develop adequate policies and programmes;

(b) Increase its efforts to promote adolescent health, including mental health, policies, particularly with respect to reproductive health and substance abuse, and strengthen the programme of health education in schools;

(c) Undertake further measures, including the allocation of adequate human and financial resources, to evaluate the effectiveness of training programmes in health education, in particular as regards reproductive health; and

(d) Develop youth-sensitive counselling, care and rehabilitation facilities that are accessible, without parental consent, when this is in the best interests of the child.

Traditional harmful practices

70. While noting the measures taken by the State party to combat the traditional practices of female genital mutilation and forced feeding, the Committee is nevertheless concerned at the continuing use of these practices, especially in rural areas.

71. **In light of article 24 (3), of the Convention, the Committee urges the State party:**

(a) To prohibit, and take action to end, the practices of female genital mutilation and forced feeding;

(b) To raise awareness of their harmful effects;

(c) To seek assistance from UNICEF and WHO in this regard; and

(d) To take advantage of the efforts in this regard made by other States in the region.

7. Education, leisure and cultural activities

Education and leisure

72. While noting the increase in the number of schools and classrooms, the Committee is nevertheless concerned that only approximately 60 per cent of children attend school and that there are great gender and regional disparities. It further notes with concern the high drop-out and repeating rates; the inadequacy of the school curriculum; the high teacher-pupil ratio, especially in the capital, Nouakchott; the low enrolment rate in secondary schools; the inadequate school infrastructure; and the low number of children receiving pre-school education. Furthermore, the Committee expresses its concern at the lack of play space and recreational facilities for children, especially in rural areas.

73. **In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:**

(a) Enforce the act that makes basic education compulsory for all children between the ages of 6 and 14;

(b) Undertake appropriate measures to ensure regular attendance at schools and the reduction of drop-out rates, in particular among girls;

(c) Continue its efforts to expand pre-school education;

(d) Take further steps to ensure the enrolment of children in secondary school;

(e) Improve the quality of education;

(f) Orient education towards the aims mentioned in article 29 (1) of the Convention and the Committee's general comment on the aims of education, in particular by introducing human rights, including children's rights, education in the curriculum at all levels of education, including teacher training; and

(g) In light of article 31 of the Convention, seek to ensure the right of the child to rest and leisure and to engage in play and recreational activities, inter alia by educating parents on the importance of these activities for the development of the child and by developing appropriate facilities, in particular in rural areas.

8. Special protection measures

Refugee children

74. The Committee notes with concern that the State party does not give identification documents to refugees and their children and that the rights of refugee children are not specifically protected by law, notwithstanding the fact that the State party has signed the 1951 Convention relating to the Status of Refugees and has acceded to the 1967 Protocol. It further notes that there are no laws and practices guaranteeing the reunification of families.

75. **In light of article 22 of the Convention, the Committee recommends that the State party:**

(a) Integrate the provisions of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol into its legislation;

(b) Grant proper official identification documents to refugees in order to enable them to travel and to access other basic rights; and

(c) Enact legislation, policies and programmes guaranteeing the reunification of families where this is possible.

Economic exploitation

76. The Committee is concerned about the high number of children engaged in labour, in particular children working in agriculture, in the informal sector and in the street, including the *talibés* who are exploited by their teachers. While recognizing the efforts undertaken by the

State party to stop cases of trafficking of children towards Arab countries, it remains concerned that girls involved in domestic service are often not paid or underpaid and that involuntary servitude is reported to exist in some isolated areas.

77. **In light of article 32 of the Convention, the Committee recommends that the State party:**

(a) Continue to undertake measures to prevent and combat all forms of economic exploitation of children;

(b) Complete the ratification process and implement ILO Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; and

(c) Seek assistance from ILO/IPEC in this regard.

Juvenile justice

78. The Committee, while noting that the Government is in the process of drawing up a new criminal code and a code of criminal procedure specific to juveniles, expresses its concern that adult offenders and juvenile delinquents are treated the same and that the budget allocated to juvenile justice is small. It further notes that judges are not informed about alternatives to detention and that there is little resort to diversion programmes or similar out-of-court procedures for dealing with juvenile delinquents. While noting the positive development of the establishment of the Beyla Centre for the recovery and reintegration of children in conflict with the law in Nouakchott, it remains concerned at the high rates of recidivism, and further notes that children detained in the interior of the country are often kept with adults and subjected to ill-treatment.

79. **The Committee recommends that the State Party:**

(a) Undertake all necessary measures to ensure the prompt adoption of a new criminal code and a code of criminal procedure specific to juveniles, i.e. all persons under 18, and allocate adequate human and financial resources for their implementation;

(b) Take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time; protect the rights of children deprived of their liberty,

including those pertaining to conditions of detention; and ensure that children are separated from adults and remain in regular contact with their families while in the juvenile justice system;

(d) Use alternative measures to pre-trial detention and other forms of deprivation of liberty whenever possible;

(e) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(f) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following justice proceedings; and

(g) Request technical assistance in the area of juvenile justice and police training from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

80. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documents

81. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered and the concluding observations adopted thereon by the Committee, along with the relevant summary records. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs and children.**

Kenya

82. The Committee considered the initial report of Kenya (CRC/C/3/Add.62), received on 13 January 2000, at its 725th and 726th meetings (see CRC/C/SR.725 and 726), held on 26 September 2001, and adopted at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

83. The Committee welcomes the submission of the initial report of the State party which followed the established guidelines. The Committee welcomes the written replies to its list of issues (CRC/C/Q/KEN/1), which allowed for a clearer understanding of the situation of children

in the State party. The Committee is encouraged by the constructive dialogue it had with the State party and the positive reactions to the suggestions and recommendations made during the discussion. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

84. The Committee notes with appreciation that the State party has put in place a Poverty Eradication Plan and has developed a Poverty Reduction Strategy for the period 2000-2003 to address increasing poverty, focusing primarily on basic social services.

85. The Committee notes the efforts of the State party to facilitate the participation of NGOs in the promotion and implementation of programmes for children, including the National Programme of Action for Children established in 1992. In this regard, the Committee welcomes the collaborative process undertaken in the preparation of the State party report, involving approximately 1,500 stakeholders, including NGOs and children themselves.

86. The Committee welcomes the establishment in 2000 of the Family Division of the High Court to provide greater protection for children in custody, adoption and divorce matters.

87. The Committee welcomes the setting up of a crisis desk and a hotline service to receive reports from child victims of abuse, including sexual abuse. In this regard, the Committee also welcomes the establishment, in cooperation with civil society, of a peace house for abused children.

88. The Committee welcomes the National AIDS Control Council and the National Agency for the Campaign against Drug Abuse.

89. The Committee notes that budgetary allocations for social services have improved over the past three years despite the challenges faced by the country.

C. Factors and difficulties impeding the implementation of the Convention

90. The Committee acknowledges that the economic and social difficulties - inter alia the ethnic clashes in 1997 - facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular it notes the impact of high external debt payments, pressures exerted by structural adjustment, increasing levels of unemployment, the deteriorating economic conditions and rampant corruption, especially on children belonging to the most vulnerable groups. The existence of more than 40 different ethnic groups seems also to be a major difficulty in the implementation of the Convention and in enacting adequate domestic legislation, particularly because they have their own customary laws.

D. Subjects of concern and committee recommendations

1. General measures of implementation

Legislation

91. The Committee notes that the State party has undertaken a review of the Constitution and of the legislation. In 1994, the Kenya Law Review Commission recommended improvements to give effect to the provisions of the Convention. The Committee further notes that the State party subsequently drafted the Children Bill, the Domestic Violence (family protection) Bill, the Industrial Properties Bill, the Refugee Bill, the Criminal Law Amendment Bill and the Bill on People with Disabilities. The Committee is concerned, however, that these bills are still undergoing review and must be discussed by Parliament before being enacted. The Committee expresses concern about the insufficient information on the status of the different systems of family law and their compatibility with the Convention on the Rights of the Child.

92. **The Committee recommends that the State party reinforce its efforts to ensure that domestic law, including constitutional provisions, fully conforms with the provisions and principles of the Convention on the Rights of the Child, and eliminate any incompatibility in the different systems of family law. The Committee encourages the State party to expedite the enactment of the pending legislation that has a direct impact on the rights of children and to ensure that any new legislation includes the principles of the Convention, as well as rights based approach. It also encourages the State party to implement that legislation in the most effective way and to make available the necessary human and financial resources. In this regard, the Committee recommends that the State party seek technical assistance from, inter alia, OHCHR and UNICEF.**

Coordination

93. The Committee notes with concern that the State party has not established a mechanism to coordinate the implementation of the Convention. While the Committee notes that the Children's Department is the agency responsible for the rehabilitation, protection and care of children, it is concerned about the inadequate resources (financial and human) allocated for the effective functioning of that Department.

94. **The Committee recommends that the State party set up an effective mechanism of coordination for the implementation of the Convention and take all measures to strengthen the resources (financial and human) allocated to the Children's Department to facilitate effective coordination and implementation of the Convention at the national and local levels.**

Data collection

95. The Committee notes the State party's Population and Housing Census conducted in 1999. It is concerned, however, that insufficient efforts have been made to ensure the

systematic collection of disaggregated data on all aspects of the Convention and the use of such data in monitoring and evaluating legislation, policies and programmes adopted with respect to children.

96. **The Committee recommends that the State party strengthen its efforts to collect systematically data disaggregated by gender, age, minority groups and rural and urban areas, incorporating all the areas covered by the Convention and covering all children below the age of 18 years, with specific emphasis on those who are vulnerable, in particular children with disabilities and refugee children. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies that affect children. In this context, the Committee recommends that the State party seek technical assistance from, inter alia, the United Nations Population Fund (UNFPA), the United Nations Development Programme (UNDP) and UNICEF.**

Monitoring mechanisms

97. The Committee notes that the State party established a Standing Committee on Human Rights (SCHR) in 1996 to investigate alleged human rights violations, to advise the Government on all human rights matters and to increase public awareness about the issue. The Committee is concerned that insufficient resources (financial and human) have been allocated for the effective functioning of the SCHR. The Committee notes with concern that the SCHR has no specific responsibilities with regard to children and that the SCHR is not easily accessible to children.

98. **The Committee encourages the State party to allocate adequate financial and human resources to the Standing Committee on Human Rights (SCHR) to ensure its effective functioning. The Committee further suggests that the State party should consider reviewing the status of the Committee and establishing an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134) which would be competent to monitor and evaluate progress in the implementation of the Convention at the national level and, if appropriate, at the local level and to receive and investigate complaints of violations of child rights in a child-friendly manner, and to address them effectively. Meanwhile, the State party should take effective measures to ensure that the SCHR is easily accessible and child-sensitive in dealing with complaints of violations of the rights of children and in providing remedies for such violations in all regions of the country. The Committee further suggests that the State party initiate an awareness raising campaign about the SCHR and to facilitate its effective use by children. The Committee encourages the establishment of a focal point on children within the SCHR to monitor child rights. Finally, the Committee suggests that the State party consult further with OHCHR and seek technical assistance from UNICEF, among others.**

Resources for children

99. The Committee is aware of the economic and social challenges facing the State party, including high and increasing poverty levels, as well as high debt payments. It remains

concerned, however, that in the light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources, at both the national and local levels, in the best interests of children "to the maximum extent of ... available resources".

100. **In the light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, especially children from economically and geographically disadvantaged groups, to the maximum extent of available resources at both the national and local levels, where necessary within the framework of international cooperation.**

Dissemination of the Convention

101. The Committee notes with appreciation the initiatives of the State party to promote awareness of the principles and provisions of the Convention, including through traditional means of communication. The Committee also notes with satisfaction that the Convention has been translated into Kiswahili and over 20,000 copies distributed. However, the Committee is concerned that professional groups, children, parents and the general public are still not sufficiently aware of the Convention and the rights-based approach enshrined therein.

102. **The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and understood by adults and children alike. In this regard, the Committee recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators, health personnel, including psychologists, social workers, personnel of childcare institutions, and traditional or community leaders. The Committee also recommends that the State party incorporate human rights, especially the Convention on the Rights of the Child in the school curricula at all levels. The Committee suggests that the State party seek technical assistance from, inter alia, OHCHR, UNESCO and UNICEF.**

2. Definition of the child

103. The Committee is concerned about the various legal minimum ages which are inconsistent, discriminatory and/or too low. In particular, the minimum age of eight years for criminal responsibility is too low.

104. **The Committee recommends the State party take the necessary legislative measures:**

(a) To increase the legal age for criminal responsibility and for sexual consent;

(b) To correct the disparity between the legal minimum ages for marriage of boys and girls, preferably by increasing the legal minimum age for marriage of girls under the Marriage Act (Laws of Kenya, chap. 150) and the Hindu Marriage and Divorce Act (Laws of Kenya, chap. 157);

(c) To establish clear minimum ages for marriage under Islamic and customary laws, employment, especially with respect to apprenticeship programmes, and compulsory education.

3. General principles

Non-discrimination

105. The Committee notes that the State party established a task force in 1993 to undertake a review of the law to ensure non-discrimination against women and initiate statutory reforms with regard to gender discrimination. The Committee is concerned, however, that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, especially girls, children born out of wedlock, children with disabilities, children of economically disadvantaged families, children in conflict with the law, children living in institutions, street children, child victims of abuse, refugee and asylum-seeking children, children belonging to ethnic minorities, and those living in rural areas. Finally, the Committee is concerned that the constitutional guarantee of equal treatment does not cover various tribal, traditional customs and practices associated with, for example, fostering, marriage and divorce that constitute a major challenge for the full realization of children rights in the State party.

106. **The Committee recommends that the State party take effective measures to implement laws, policies and programmes to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children and traditional tribal customs, practices and rituals.**

107. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29.1 of the Convention (the aims of education).**

Right to life, survival and development

108. The Committee notes that the State party has established various programmes under the National Programme of Action for Children to ensure the survival and development of children. However, it is concerned that the Programme has not been sufficiently implemented and that the impact of HIV/AIDS, mounting economic challenges and other socio-economic difficulties continue to threaten the right to life, survival and development of children in the State party, especially those living in rural areas and increasingly those living in crowded urban centres.

109. **The Committee encourages the State party to reinforce its efforts to provide greater protection and support to children whose right to life, survival and development is unduly threatened by the difficult socio-economic realities of the State party. In this connection, the Committee recommends that the State party take all effective measures to strengthen**

Respect for the views of the child

110. The Committee notes with concern that, inter alia, traditional practices and attitudes still limit the full implementation of article 12 of the Convention.

111. **The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children, particularly at the local level and in traditional communities, and encourage respect for the views of the child in the family, in schools and care institutions, and in the judicial system. The Committee further recommends that the State party introduce child-sensitive hearings for placement decisions and in courts and take into account the views of the child, according to their maturity and age.**

4. Civil rights and freedoms

Birth registration

112. The Committee notes that the law provides for the registration of children at birth and that the State party has initiated campaigns to raise awareness about the importance of birth registration. However, it is concerned that many children are not registered, particularly those born at home and those living in rural communities.

113. **In the light of articles 7 and 8 of the Convention, the Committee recommends that the State party strengthen its efforts to raise awareness among government officers, midwives, community and religious leaders, and parents themselves, to ensure that all children are duly registered at birth. The Committee also recommends that the State party make the birth registration procedure less costly and more accessible.**

Corporal punishment

114. While the Committee notes that corporal punishment has been formally banned in schools (April 2001) as a matter of policy, it is deeply concerned that this form of punishment continues to be practised in schools, as well as in the juvenile justice system, in the family and in care institutions, with resulting cases of permanent injury and even death.

115. **The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, in the juvenile justice system, in schools and care institutions, and in the family. The Committee also recommends that the State party monitor the ban on corporal punishment in schools. The Committee encourages the State party to reinforce its public awareness campaigns to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.**

Torture and inhuman or degrading treatment or punishment

116. The Committee is concerned about the incidence of police brutality, particularly against street children, refugee children and those in conflict with the law. Concern is also expressed at the inadequate enforcement of existing legislation to ensure that all children are treated with respect for their physical and mental integrity and their inherent dignity.

117. **The Committee strongly recommends that all appropriate measures be taken to implement fully the provisions of articles 37 (a) and 39 of the Convention. In this regard, the Committee recommends that greater efforts be made to prevent all forms of torture and inhuman or degrading treatment by the police and facilitate the recovery of child victims through, inter alia, rehabilitation and reintegration. Additionally, it is recommended that the State party effectively investigate these cases and ensure that perpetrators of such brutality against children are brought to justice.**

5. Family environment and alternative care

Protection of children deprived of a family environment

118. The Committee expresses concern at the increasing number of children deprived of a family environment and at the absence of a distinction between children in need of special protection and child offenders in legal proceedings. Concern is also expressed at the inadequate facilities and services for children in need of special protection, as well as at the State practice of placing such children in juvenile remand facilities or police stations, which are considered places of safety. The Committee also notes with concern the absence of an independent complaint mechanism for children in alternative care institutions, the inadequate review of their placement in institutions and the lack of trained personnel in this field. Concern is also expressed at the insufficient financial and human resources allocated for alternative care.

119. **The Committee recommends that the State party take effective measures to improve alternative care, including through the allocation of adequate financial and human resources. It further recommends that the State party provide additional training, including in children rights, for social and welfare workers, ensure the periodic review of placements in institutions and establish an independent complaints mechanism for children in alternative care institutions. Additionally, the Committee recommends that the State party take effective measures to ensure that children in need of care are not kept in juvenile remand facilities or police stations and encourages the efforts to make procedural and substantive distinction between children in need of special protection and child offenders.**

Adoptions and foster care

120. While noting that the Adoption Act (Laws of Kenya, chap. 143) provides for the regulation of adoption (domestic and intercountry), the Committee expresses concern that informal adoptions are more widely accepted and practised within the State party. While the Committee notes that "informal foster care" takes place within the extended family system, it is concerned that the State party has not established an effective foster care programme.

121. **In light of article 21 of the Convention, the Committee recommends that the State party strengthen administrative procedures for formal domestic adoptions to prevent abuse of the practice of private and informal adoption and guarantee the protection of the rights of children. In the light of the increasing number of children deprived of a family environment, the Committee encourages the State party to promote and encourage formal adoptions and to establish an effective foster care programme. Additionally, the Committee encourages the State party to accede to the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.**

Abuse/neglect/abandonment/maltreatment/violence

122. The Committee is concerned about the high and increasing incidence of physical and sexual abuse of children, including in schools and care institutions. Concern is also expressed about the lack of awareness and information on domestic violence, ill-treatment and abuse (sexual, physical and psychological) of children and the insufficient financial and human resources allocated for programmes to combat abuse of children.

123. **In the light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) in order to adopt adequate policies and contribute to changing attitudes. The Committee encourages the State party to consider introducing an effective reporting system for child abuse cases, including sexual abuse of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated in a child-sensitive judicial procedure and sanctions applied to perpetrators, with due regard given to protecting the right to privacy of the child. In accordance with article 39 of the Convention, measures should be taken to ensure the rehabilitation of victims and of perpetrators. Efforts should also be made to prevent the criminalization and stigmatization of children who are victims of abuse. The Committee recommends that the State party seek technical assistance from, inter alia, UNICEF, WHO and UNDP.**

6. Basic health and welfare

Right to health and access to health services

124. The Committee notes the efforts of the State party to improve health care for children through, inter alia, the Health Policy Framework, the Expanded Programme on Immunization, and the National Plan of Action for Nutrition. However, the Committee is concerned about the insufficient numbers of trained medical personnel; the high maternal, infant, and under-five mortality rates; the high rate of malnutrition; the increasing incidence of HIV/AIDS; the high incidence of malaria and acute respiratory infections; and poor sanitation and limited access to safe drinking water, especially in rural areas. It is also noted with concern that the State party's cost-sharing policy has limited access to basic health care, especially for poor families.

125. **The Committee recommends that the State party allocate appropriate resources to reinforce its policies and programmes to reduce the high rate of malnutrition and improve health care for children. Additionally, the State party should take all effective measures to**

increase the numbers of trained medical and other health personnel, including traditional healers; facilitate cooperation between trained medical personnel and traditional healers, especially midwives; reduce the incidence of maternal, infant and under-five mortality; prevent and combat malnutrition; increase access to safe drinking water; improve sanitation; and reduce the incidence of malaria and acute respiratory infections. Additionally, the State party should take effective measures to facilitate greater access to health services by, inter alia, abolishing or rationalizing cost sharing in primary health care to reduce the burden on poor families. The Committee encourages the State party to seek technical cooperation for the Integrated Management of Childhood Illnesses and for other measures for child health improvement from, inter alia, WHO and UNICEF.

Adolescent health

126. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate data in the area of adolescent health, including early marriage and pregnancy, HIV/AIDS and sexually transmitted diseases (STDs), abortion, violence, suicide, mental health, and alcohol and substance abuse. The Committee is also concerned at the increasing number of orphans due to HIV/AIDS and at the decrease in expenditure for HIV/AIDS control.

127. **The Committee recommends that the State party strengthen adolescent health policies, including reproductive health education. Further, the Committee suggests that a comprehensive and multidisciplinary study be undertaken to assess the extent of adolescent health problems, including the special situation of children infected and/or affected by HIV/AIDS and STDs. Additionally, it is recommended that the State party allocate adequate human and financial resources to increase the number of social workers and psychologists and to develop youth-sensitive care, counselling and rehabilitation facilities for adolescents. It is further recommended that the State party seek technical assistance from, inter alia, UNICEF and WHO.**

Female genital mutilation

128. The Committee is deeply concerned that female genital mutilation (FGM) is not prohibited by law and is still widely practised in the State party. Concern is also expressed about the persistent practice of other harmful traditional practices, including early and forced marriages.

129. **The Committee recommends that the State party take legislative and awareness-raising measures to prohibit and eradicate the practice of FGM and other traditional practices harmful to the health, survival and development of children, boys as well as girls. The Committee urges the State party to introduce sensitization programmes for practitioners and the general public to change traditional attitudes and discourage harmful practices.**

Children with disabilities

130. The Committee welcomes the establishment of a National Fund for the Disabled but is concerned about the inadequate legal protection and the insufficient policies, facilities and services for children with disabilities. Concern is also expressed at the limited number of teachers trained to work with children with disabilities, as well as at the insufficient efforts made to facilitate the inclusion of such children in the educational system and generally in society. The Committee also notes with concern the inadequate resources allocated to special education programmes for children with disabilities.

131. **In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on the rights of children with disabilities (CRC/C/69, para. 338), it is recommended that the State party:**

(a) Take effective measures to collect adequate statistical data on children with disabilities and to ensure the use of such data for the prevention of disabilities, and in the development of policies and programmes for these children;

(b) Reinforce its efforts to develop early detection programmes to prevent disabilities;

(c) Implement alternatives to the institutionalization of children with disabilities;

(d) Establish special education programmes for them and where feasible, include them in the regular school system;

(e) Undertake awareness raising campaigns to sensitize the public about the rights and special needs of children with disabilities and children with mental health concerns;

(f) Increase the resources (financial and human) allocated to special education and enhance the support given to the families of children with disabilities;

(g) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities, from, inter alia, WHO.

Right to an adequate standard of living

132. The Committee is concerned about widespread poverty and the increasingly high numbers of children in the State party who do not enjoy the right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, internally displaced children, children of ethnic minorities and children living in remote rural communities.

133. **In accordance with article 27 of the Convention, the Committee recommends that the State party reinforce its efforts to provide support and material assistance to**

economically disadvantaged families and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children in the implementation of the Poverty Eradication Plan, the Poverty Reduction Strategy and all other programmes intended to improve the standard of living in the country. In this regard, the Committee encourages the State party to coordinate its efforts with civil society and local communities.

7. Education, leisure and cultural activities

Right to and aims of education

134. While the Committee notes that the Education Act is currently under review, it is concerned that the law does not fully guarantee the right to education. The Committee expresses concern about the non-increase (in percentage) of the budget for education and about the introduction of cost-sharing in education which further limits access to education, especially for girls, children from economically disadvantaged families and those living in remote rural communities. Concern is also expressed regarding low enrolment and high drop-out and repetition rates; insufficient numbers of trained teachers; insufficient schools and classrooms; and the lack of relevant learning material. In the light of article 29.1 of the Convention, the Committee is also concerned about the quality of education in the State party. The Committee notes with regret the reported incidents of sexual abuse and exploitation of children in the school environment.

135. **The Committee urges the State party to take legal and other measures to guarantee the right to education for all children in its territory, in particular free and compulsory primary education. The Committee recommends that the State party take effective measures, including the allocation and distribution of adequate financial, human and technical resources, to enhance the quality of education, to decrease the repetition and drop-out rates, and to ensure that all children enjoy the right to education. It is further recommended that the State party reinforce its efforts to increase access to education by, inter alia, abolishing cost-sharing in primary education and rationalizing it in secondary and tertiary education. The State party should pay particular attention to the quality of education, in the light of article 29.1 and the Committee's general comment on the aims of education. The Committee strongly encourages the State party to take effective measures to protect children, especially girls, against sexual abuse and violence in the school environment and to facilitate care and the rehabilitation of child victims in this regard. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.**

8. Special protection measures

Refugee, asylum-seeking, unaccompanied and internally displaced children

136. The Committee recognizes the efforts of the State party, in cooperation with UNHCR, to accommodate refugees, including unaccompanied minors. However, the Committee remains concerned about the inadequate standards, procedures and policies to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their access to

adequate education, health and other social services. Concern is also expressed regarding the prevalence of sexual abuse and violence against girls in and around refugee camps. The Committee notes the establishment of the Presidential Commission on Ethnic Clashes (1998) to investigate the causes of ethnic clashes in various regions of the State party in 1992, 1997, and 1998, as well as the actions taken by officials, including the police, during the clashes. However, the Committee is concerned that insufficient efforts have been made to ensure the resettlement of families who were displaced during these clashes and continue to live in camps. Finally, the Committee is concerned at the decrease in the funds provided by UNHCR, which has a negative impact on the rights of child refugees, such as the right to food.

137. **The Committee recommends that the State party take effective legal and other measures to ensure adequate protection of refugee, asylum-seeking and unaccompanied children, especially girls, and to implement further policies and programmes to guarantee their adequate access to health, education and social services. The Committee further recommends that the State party review its standards and procedures in the asylum process to ensure consistency with international standards and to introduce special procedures for refugee children, especially those separated from their families. The Committee urges the State party to reinforce its resettlement programme to provide lasting relief for internally displaced families and guarantee their rights to adequate housing, education, health and social services. The Committee encourages the State party to undertake efforts to reinforce its cooperation with UNHCR.**

Street children

138. The Committee expresses grave concern at the high and increasing numbers of street children. In particular, the Committee notes their limited access to health, education and other social services, as well as their vulnerability to police brutality, sexual abuse and exploitation, economic exploitation and other forms of exploitation.

139. **The Committee recommends that the State party:**

(a) Take all effective measures to ensure that street children are provided with a suitable programme of assistance, with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with: preventive and rehabilitative services with respect to physical, sexual and substance abuse; protection from police brutality; services for reconciliation with their families; and education on their rights;

(c) Consider establishing a comprehensive strategy to address the high and increasing numbers of street children, with the aim of preventing and reducing this phenomenon.

Economic exploitation

140. The Committee notes with appreciation that the State party has signed a memorandum of understanding with ILO and that various ILO/IPEC programmes to prevent and combat child labour are being carried out. The Committee also welcomes the establishment of a National Steering Committee on child labour. Nevertheless, and in the light of the current economic situation, the increasing number of school drop-outs and the increasing number of street children, the Committee is concerned about the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation in the State party. The Committee notes also with concern that notwithstanding various legal provisions there is no firm minimum age for admission to employment and that child labour is still prevalent in the State party.

141. **The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sectors. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour. The Committee urges the State party to establish a clear legal minimum age for employment, in particular for those working in the agricultural sector. The Committee encourages the State party to further develop and strengthen the collaboration with ILO/IPEC.**

Sexual exploitation and sexual abuse

142. The Committee notes that the State party participated in the World Congress against Commercial Sexual Exploitation, held in Stockholm in 1996, and subsequently established a National Plan of Action to prevent and combat the commercial sexual exploitation of children. However, the Committee is concerned about the large and increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in domestic labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children who are the victims of such abuse and exploitation.

143. **In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution, child sex tourism and child pornography, and implementing appropriate preventive and rehabilitative policies and programmes for child victims. The Committee recommends that the State party reinforce its efforts in implementing the National Plan of Action formulated in accordance with the Declaration and the Agenda for Action adopted by the World Congress against Commercial Sexual Exploitation of Children at Stockholm in 1996.**

Administration of juvenile justice

144. The Committee notes with concern that the juvenile justice system does not cover the entire country and that there is only one juvenile court in the State party. While acknowledging the State party's efforts to implement a Diversion Programme for children in conflict with the law, the Committee also expresses its concern about the quality of the juvenile justice system generally.

145. **The Committee recommends that the State party:**

(a) Take all appropriate measures, including the enactment of the Children Bill, to implement a juvenile justice system in conformity with the Convention, in particular articles 37, 39 and 40, and of other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Use deprivation of liberty (institutionalization) only as a measure of last resort and for the shortest possible time and, in that regard, implement the Diversion Programme fully and with the widest scope possible, as an alternative to deprivation of liberty;

(c) Ensure that children remain in contact with their families while in the juvenile justice system;

(d) Introduce training programmes on relevant international standards for all professionals involved in the administration of juvenile justice;

(e) Abolish the use of corporal punishment in the juvenile justice system;

(f) Improve the conditions in detention facilities;

(g) Strengthen reparation, rehabilitation and reintegration programmes;

(h) Ensure that cases involving children in need of care and protection are not treated as criminal cases; and

(i) Consider seeking technical assistance from, inter alia, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Co-ordination Panel on Technical Advice in Juvenile Justice.

9. Optional Protocols and amendment to article 43.2 of the Convention

146. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child

pornography, and on the involvement of children in armed conflict, nor has it formally accepted the amendment to article 43.2 of the Convention to allow for the expansion of the Committee from 10 to 18 members.

147. **The Committee encourages the State party to ratify the two Optional Protocols to the Convention on the Rights of the Child, and to accept the amendment to article 43.2 of the Convention.**

10. Dissemination of documents

148. **Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Oman

149. At its 727th and 728th meetings (see CRC/C/SR.727 and 728), held on 27 September 2001, the Committee on the Rights of the Child considered the initial report of Oman (CRC/C/78/Add.1), which was received on 5 July 1999, and adopted, at the 749th meeting, held on 12 October 2001 (CRC/C/SR.749), the following concluding observations.

A. Introduction

150. The Committee notes that the initial State party report was prepared according to the Committee's guidelines for reporting. It notes the timely submission of the informative written answers. The Committee further notes with appreciation the presence of a high-level and cross-sectoral delegation, which contributed to a frank and open dialogue.

B. Positive aspects

151. The Committee notes that the consideration of the initial report of Oman marked the first occasion that the State party had appeared before a human rights treaty body.

152. The Committee appreciates that the State party has achieved most of the goals of the World Summit for Children, including reductions in infant and under-5 mortality, an annual immunization rate of almost 98 per cent, high primary and secondary school enrolment, and near parity in school enrolment between girls and boys.

153. The Committee notes the high level of commitment to health care, as evidenced by its having been ranked eighth in the world for its overall health system performance (WHO,

World Health Report 2000). It welcomes information on salt iodization and flour fortification programmes, pre-marriage screening for HIV/AIDS and congenital diseases, and the introduction of the Integrated Management of Childhood Illness (IMCI) strategy.

154. The Committee welcomes:

(a) The introduction of basic education reform, which includes the adoption of a child-centred approach to learning;

(b) The State party's ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182); and

(c) The introduction of the new system for reporting child abuse and neglect.

C. Factors and difficulties impeding the implementation of the Convention

155. The Committee acknowledges that sparse settlement patterns, especially in rural and remote regions of the country, may be factors impeding the implementation of some provisions of the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Reservation

156. The Committee welcomes information that the State party is re-examining its reservations to articles 7, 9, 21 and 30 of the Convention. While noting difficulties that the State party may have, the Committee is nevertheless concerned that its reservation to article 14 is not included in this re-examination.

157. **The Committee recommends that the State party:**

(a) Expeditiously complete its re-examination of its reservations to articles 7, 9, 21 and 30 of the Convention with a view to withdrawing them in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights (1993);

(b) Study its reservation to article 14 with a view to narrowing it, taking account of the Human Rights Committee's general comment No. 22 on freedom of thought, conscience and religion.

Legislation

158. While noting various legislative measures already taken or proposed with respect to child rights (e.g. 1999 Civil Status Law, 1999 Criminal Procedure Law, draft Juveniles Law), the Committee is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

159. The Committee recommends that the State party:

(a) Undertake a comprehensive review of existing legislation from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention; and

(b) Consider the adoption of a comprehensive children's code, which would incorporate the principles and provisions of the Convention.

Coordination

160. The Committee welcomes information that the Omani Child Rights Committee, under the National Committee for Child Care (NCCC), has been reactivated with the aim of improving the implementation of the Convention. However, it is concerned at the lack of a comprehensive plan of action to implement the Convention.

161. **The Committee recommends that the State party:**

(a) Pursue the preparation and development of a comprehensive rights-based national plan of action for the implementation of the Convention, through an open, consultative and participatory process; and

(b) Ensure that the NCCC, particularly the Child Rights Committee, is provided with adequate human and financial resources.

Cooperation with civil society

162. Noting good cooperation in the development and welfare sectors between the Government and national associations, bilateral aid agencies, international organizations and NGOs, the Committee is concerned that insufficient efforts have been made to involve civil society, particularly in the area of civil rights and freedoms, with respect to awareness-raising and in the implementation of the Convention.

163. **The Committee recommends that the State party:**

(a) Develop a systematic approach to involving civil society, especially children's associations, throughout all stages in the implementation of the Convention, in particular with respect to civil rights and freedoms; and

(b) Ensure that legislation regulating NGOs conforms to article 15 of the Convention and international standards on freedom of association, as a step in facilitating and strengthening their participation.

Data collection

164. The Committee notes that the State party has developed an efficient, nationwide system of data collection in the area of health and welcomes information that efforts are under way to establish a comprehensive database for children within an overall social database.

165. **The Committee encourages the State party:**

(a) To continue its efforts and ensure that disaggregated data are collected on all persons under 18 years for all areas covered by the Convention, including the most vulnerable groups (i.e. non-nationals, children living in remote areas, children with disabilities, children of economically disadvantaged households, etc.), and that these data are used to assess progress and design policies to implement the Convention; and

(b) To seek technical assistance from, among others, UNICEF.

Monitoring structures

166. The Committee is concerned at the absence of an independent mechanism with a mandate regularly to monitor and evaluate progress in the implementation of the Convention and which is empowered to receive and address complaints.

167. **The Committee recommends that the State party:**

(a) Establish an independent national human rights institution in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134) to monitor and evaluate progress in the implementation of the Convention at the national and at the local levels. This institution should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively; and

(b) Seek technical assistance from, among others, OHCHR and UNICEF.

Resource allocation

168. The Committee notes significant investment in and increased budgetary allocations for health, education and other parts of the social sector, and welcomes information that the State party's budget categorization system will be modified so that allocations for children may be more easily ascertained.

169. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to allocate available resources - human and financial - to the maximum extent to health, education, culture and other social services;

(b) Undertake similar efforts to ensure full implementation of the Convention; and

(c) Systematically assess the impact of budgetary allocations on the implementation of child rights.

Training/dissemination of the Convention

170. The Committee is concerned that awareness of the Convention amongst professionals working with and for children and the general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination, awareness-raising and training activities in a systematic and targeted manner.

171. **The Committee recommends that the State party:**

(a) Develop an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society, all sectors and levels of government and the Council of Oman, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing human rights training programmes that include children's rights for all professional groups working for and with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel); and

(c) Seek assistance from, among others, OHCHR and UNICEF.

2. General principles

Non-discrimination

172. Noting significant achievements with regard to the status of women, the Committee is nevertheless concerned that discrimination contrary to article 2 of the Convention persists in the State party. In particular, the Committee is concerned about discrimination against females and children born out of wedlock under the 1997 Personal Status Law and that, according to the 1999 Civil Status Law, a birth out of wedlock is indicated in the birth register.

173. **In accordance with article 2 of the Convention, the Committee recommends that the State party:**

(a) Undertake all possible measures to reconcile fundamental human rights with Islamic texts;

(b) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life;

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family; and

(d) Train members of the legal profession, especially the judiciary, to be gender-sensitive. Religious leaders should be mobilized to support such efforts.

174. The Committee is concerned at the disparities in the enjoyment of economic and social rights, particularly the rights to health and education, experienced by non-national children and children living in rural areas, such as al-Wusta.

175. **The Committee recommends that the State party:**

(a) Take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Continue to prioritize and target resources and social services for children belonging to the most vulnerable groups, especially in areas which lack basic services; and

(c) Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

176. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29.1 of the Convention on the aims of education.**

Best interests of the child

177. The Committee is concerned that in actions concerning children, the general principle of the best interests of the child contained in article 3 of the Convention is not always a primary consideration, such as in matters relating to family law.

178. **The Committee recommends that the State party review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein and that this principle is taken into account when administrative, policy, court or other decisions are made.**

Respect for the views of the child

179. The Committee is concerned that traditional attitudes towards children in society may limit respect for their views, especially within the family and schools.

180. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate within the family, the school, institutions, the courts and administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for parents, teachers, social workers and local officials so that they can learn how to help children to express their informed views and opinions and to take those views into consideration; and

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Nationality

181. The Committee is concerned that the Nationality Law does not grant citizenship to children of Omani women married to non-nationals, as it does where the father is Omani.

182. **The Committee recommends that the State party ensure the right of all children to a nationality, without discrimination on the grounds of either parent's sex, in accordance with articles 2 and 7 of the Convention.**

5. Family environment and alternative care

Violence/abuse/neglect/maltreatment

183. The Committee welcomes the introduction of the new system for reporting incidents of child abuse and neglect and the establishment of the Family Counselling and Guidance Department. However, the Committee remains concerned that there is insufficient information and awareness in Oman of the ill-treatment and abuse of children within the family and institutions.

184. **The Committee recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address it;

(b) Take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family and in institutions;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Ensure that the new reporting system can effectively receive, monitor and investigate complaints, and that the authorities can intervene where necessary;

(e) Investigate and prosecute cases of ill-treatment, ensuring that the abused child is not further victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases; and

(h) Seek assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Right to health and health care

185. Noting significant achievements in the reduction of infant and child mortality, and the high levels of immunization coverage, the Committee is concerned that:

(a) Malnutrition affects about 25 per cent of children under 5;

(b) Thirty per cent of pregnant women and 20 per cent of children under 5 still suffer from anaemia;

(c) Thirty-nine per cent of breastfeeding mothers have vitamin A deficiency; and

(d) Ten per cent of school-age children suffer from mild to moderate iodine deficiency disorders.

186. **The Committee recommends that the State party:**

(a) Make greater efforts to address these issues through continued allocation of the required resources;

(b) Strengthen health and nutrition education such as through public-information campaigns and its inclusion in the curricula; and

(c) Seek assistance from UNICEF and WHO.

Adolescent health

187. The Committee is concerned that insufficient information is available in relation to adolescent health, such as access to reproductive health services and mental health counselling services.

188. **The Committee recommends that the State party:**

(a) Ensure that adolescents have access to and are provided with education on reproductive health and other adolescent health issues, including mental health, as well as with child-sensitive and confidential counselling services;

(b) Strengthen efforts in the area of adolescent health education within the educational system; and

(c) Seek assistance from, among others, UNICEF and WHO.

Children with disabilities

189. The Committee welcomes information that a national committee on disability has been formed, a new medical and social care unit under the Centre for Care and Rehabilitation of the Disabled has been established to cater for the needs of severely disabled children, and that three new Al-Wafa Social Centres for Disabled Children have been established. However, the Committee is concerned that children with disabilities, in general, have inadequate access to specialized services and education, and that there is insufficient support for families.

190. **The Committee recommends that the State party:**

(a) Conduct a survey to assess the causes and extent of disability among children;

(b) Review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on "Children with disabilities" (see CRC/C/69);

(c) Involve children with disabilities and their families in the development of surveys and policy review;

(d) Undertake greater efforts to make available the necessary professional and financial resources;

(e) Undertake greater efforts to promote and expand community-based rehabilitation programmes, including parent support groups, and inclusive education of children with all forms of disability; and

(f) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

191. Noting significant improvements in education indicators, the Committee is concerned: that primary education is not compulsory; at levels of drop-out and repetition at primary, preparatory and secondary education levels, especially among boys; and at the quality of teaching as a result of rapid Omanization in this sector.

192. **The Committee recommends that the State party:**

(a) Ensure that primary education is made compulsory by law;

(b) Make greater efforts to address drop-out and repetition rates; and

(c) Allocate the required resources to address the quality of teacher training.

193. The Committee is concerned that human rights education, including about the Convention, is not included in the school curricula.

194. **The Committee recommends that the State party, taking into account the Committee's general comment No. 1 on the aims of education:**

(a) Include human rights education, including about children's rights, in the curricula, particularly with respect to the development of and respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities; and

(b) Seek assistance from UNICEF and UNESCO.

195. Noting that the Organizational Statutes of the General Education Schools ban corporal punishment, the Committee remains concerned that this issue is not effectively addressed.

196. **The Committee recommends that the State party raise awareness of the negative impact of corporal punishment among teachers and other professionals working in schools, and take other appropriate measures for its prevention and elimination.**

8. Special measures of protection

Economic exploitation

197. The Committee welcomes the State party's ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). It further welcomes information that Oman has introduced policies embodied in this convention as well as ILO Recommendation No. 190, and that it is

conducting a review of legislation with a view to raising the minimum age of employment from 13 to 16 years. However, the Committee is concerned about the lack of information on child labour within the agricultural and domestic service sectors.

198. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes, extent and impact of child labour;

(b) Implement the ILO Minimum Age Recommendation, 1973 (No. 146) and the Worst Forms of Child Labour Recommendation, 1999 (No. 190);

(c) Consider ratifying the ILO Minimum Age Convention, 1973 (No. 138); and

(d) Seek assistance from, among others, the ILO.

Camel racing

199. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular it is concerned that sometimes very young children are involved and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3 (1) of ILO Convention No. 138.

200. **In accordance with article 32 of the Convention and ILO Convention No. 182, which the State party has ratified, the Committee recommends that the State party:**

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No. 190;

(b) Undertake efforts to develop a regional initiative in this regard, including bilateral and multilateral cooperation; and

(c) Seek assistance from the ILO.

Administration of juvenile justice

201. Noting the draft Juveniles Law, the Committee is concerned that insufficient efforts have been made to secure its speedy adoption.

202. **The Committee recommends that the State party:**

(a) Establish a minimum age of criminal responsibility in accordance with the principles and provisions of the Convention;

(b) Ensure that a system of juvenile justice fully integrates into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(c) Expedite the promulgation of the draft Juveniles Law and ensure that adequate resources are allocated for its effective implementation;

(d) Ensure that the deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by the court, and that persons under 18 are not detained with adults;

(e) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(f) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(g) Train professionals in the area of rehabilitation and social reintegration of children; and

(h) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional protocols

203. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documents

204. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.**

Portugal

205. The Committee considered the second periodic report of Portugal (CRC/C/65/Add.11) at its 731st to 732nd meetings (see CRC/C/SR.731-732), held on 1 October 2001, and adopted at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

206. The Committee welcomes the submission of the State party's second periodic report and the very useful written replies to its list of issues (CRC/C/Q/POR/2). The Committee notes the very constructive dialogue it had with the cross-sectoral delegation of the State party.

B. Positive factors

207. The Committee welcomes the substantial changes in various fields of legislation. Among others, the administration of juvenile justice now allows for children and young people between 12 and 16 in a situation of risk to be treated separately from those involved in criminal activities. In this context, the social welfare and security system has undergone changes that target children and parents at risk and living in poverty. The Committee also welcomes the establishment of a pre-school system, the raising of the minimum age of military service to 18 and adoption of the Law 15/98 increasing the protection of asylum-seekers.

208. The Committee notes that the State party has satisfied a number of international human rights instruments relevant to the rights of the child, including the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the 1973 ILO Convention No. 138 concerning the Minimum Age for Admission to Employment and the 1999 ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

209. The Committee welcomes the progress registered by the State party in implementing the Convention through numerous comprehensive policies.

C. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

National strategy for the implementation of the Convention

210. The Committee is concerned at the lack of a comprehensive national strategy on the implementation of the Convention.

211. **The Committee recommends that the State party:**

(a) Develop a comprehensive national strategy for the implementation of the Convention;

(b) Set priorities and define a time frame for implementation;

(c) Define what human, financial and technical resources are necessary for the strategy's implementation and allocate them.

Coordination

212. Noting the Committee's 1995 concluding observations (CRC/C/15/Add.45) on the State party's initial report (CRC/C/3/Add.30) and the existence of the National Commission for the Protection of Children and Youth at Risk and the District-Level Commissions, the Committee is most concerned that there is still no structure for national coordination of the implementation of the Convention with regard to all children, as was recommended in 1995.

213. **The Committee again recommends that**:

(a) The State party define a structure for the coordination of the implementation of the Convention for all children in the State party;

(b) Particular attention be given to coordination at the ministerial level;

(c) Efforts be made to continue to ensure the participation of civil society, including NGOs, in the implementation of the Convention.

Allocation of resources

214. The Committee notes a trend of increasing resources being allocated to the education, health and social welfare sectors and the significant participation of civil society, including NGOs, in the provision of such services. However, the Committee remains concerned that there is no information indicating that priority is given to the implementation of children's social rights in the budgets of the State party at national, regional and local levels.

215. **With a view to achieving full application of article 4 and to eradicate poverty, the Committee urges the State party to consider ways in which respect can be guaranteed for the rights of all children including children from disadvantaged backgrounds and from isolated communities, in particular in the sectors of health, education and other social welfare services and in conformity with article 2.**

Data collection

216. The Committee recognizes that the State party collects useful data in the fields of, inter alia, education and health, but notes:

(a) That in many areas the data collected do not cover all ages of children; for example, data with regard to children with disabilities are provided only up to age 15;

(b) A lack of, or insufficient, data with regard to some areas of the Convention, for example, data on abortions, substance abuse and child abuse and neglect, including sexual abuse and exploitation;

(c) That the data collected are used to a sufficient degree in developing, strengthening and monitoring policies and programmes for the implementation of the Convention.

217. **The Committee recommends that the State party:**

(a) Further develop its existing data collection mechanisms with a view to creating an effective system for collecting data covering all areas of relevance to the Convention;

(b) Ensure that data collection covers the entire and specific period of childhood up to age 18, and all areas relating to the rights under the Convention;

(c) Ensure that data are disaggregated including, as relevant, by gender, age, minority group and rural or urban residence;

(d) Strengthen the use of data to improve the development, implementation and monitoring of programmes and policies to implement the Convention.

International cooperation

218. The Committee notes that the State party's contribution to international cooperation was 0.26 per cent of GNP in 1999, and that the United Nations recommended target for development aid by States is 0.7 per cent of GNP.

219. **The Committee recommends that the State party progressively increase its contributions to international cooperation in accordance with United Nations targets, giving particular attention to children's rights.**

Cooperation with civil society

220. The Committee notes the State party's close cooperation with civil society with regard to children's rights.

221. **The Committee encourages the State party:**

(a) To continue and strengthen its positive cooperation with civil society, including NGOs, in the context of the implementation of the Convention;

(b) To encourage NGOs to adopt a rights-based approach to children.

2. General principles

222. The Committee welcomes the State party's holistic approach to implementation of the general principles with regard to children's rights.

Non-discrimination

223. The Committee notes the numerous efforts initiated by the State party to address discrimination, including the development of mechanisms, the conduct of surveys and the implementation of policies. The Committee is concerned, however, with regard to de facto discrimination in the context of children and families living in poverty in less developed rural and urban areas and against the Roma and their children in particular.

224. **The Committee recommends that the State party continue and strengthen its efforts to ensure equal respect for the right to non-discrimination of all children, giving particular attention to children and their families living in poverty, in particular Roma children and children living in less developed areas.**

225. The Committee requests that specific information be included in the next periodic report, on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention on the aims of education.

Respect for the opinions of the child and child participation

226. The Committee notes the State party's ongoing efforts to ensure child participation and welcomes the fact that the age at which a child's opinions must be heard in administrative and judicial proceedings affecting the child has been defined under relevant legislation and taken into consideration in accordance with the age and maturity of the child. The Committee notes, in addition, ongoing efforts to address concerns regarding cultural conceptions of the value of a child's opinion within schools and society (see paragraph 123 of the State party's report) and in decision-making at national and local levels in matters affecting children.

227. **In the light of article 12, the Committee encourages the State party to continue to enhance child participation and respect for the opinions of the child, including at national and local levels and in accordance with the age and maturity of the child.**

Survival and development

228. The Committee joins the State party in expressing concern at the extremely high number of accidents, including road accidents, of which children are victims.

229. **The Committee recommends that the State party, taking into account the conclusions of its Working Group for the Prevention of Accidents, promote initiatives with a view to diminishing the number and consequences of accidents involving children**

through, inter alia, legislation, standardization of toys and child care articles and the training of relevant professionals and of families with children in the prevention of accidents.

3. Civil rights and freedoms

Corporal punishment

230. Noting its 1995 concluding observations, the Committee is concerned that corporal punishment continues to be practised within the family, there is a lack of legislation prohibiting such punishment, and that insufficient measures have been adopted to prevent corporal punishment in this context.

231. **The Committee recommends that the State party:**

(a) Adopt legislation prohibiting corporal punishment in the family and in any other contexts not covered by existing legislation;

(b) Develop mechanisms to end the practice of corporal punishment, including the use of information campaigns targeting parents, teachers and children;

(c) Promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society;

(d) Develop mandatory reporting systems for professionals working with children who detect the use of corporal punishment in the family.

4. Family environment and alternative care

Family environment

232. The Committee welcomes the State party's decision to develop a global plan on family policy, including changes to social welfare and social security and means-tested coverage with particular provisions for families and children and including those persons not paying contributions to the social security system. The Committee also welcomes the definition, in the National Plan of Action against Poverty and Social Exclusion of child protection priorities including the provision of support measures for families in order to enable them to fulfil their parental responsibilities. Nevertheless, the Committee remains concerned:

(a) That poverty, poor housing, unemployment, non-contractual work and the high incidence of alcoholism among parents in many families have a negative impact on respect for children's rights;

(b) At the lack of sufficient free pre-school care services, complicating an already difficult situation for poor families.

233. **The Committee recommends that the State party make every effort, to the maximum extent of available resources, to support families in their child-rearing responsibilities and to ensure the protection of the rights of all children in the context of the family environment.**

Abuse and neglect, including sexual abuse and sexual exploitation

234. The Committee notes the State party's recent initiative to develop mechanisms allowing doctors, teachers and other relevant professionals to lodge complaints of alleged sexual abuse or exploitation of children (Law 99 of 25 August 2001).

235. **The Committee recommends that the State party:**

(a) Strengthen the monitoring of and collection of data on cases of abuse and neglect of children;

(b) Make it mandatory for professionals to report to an appropriate body cases of abuse, including sexual abuse, and ensure the provision of appropriate training and adequate protection for professionals called upon to make such reports;

(c) Ensure the provision of rehabilitation assistance to child victims of abuse.

Alternative care

236. The Committee is concerned:

(a) At the continuing emphasis placed on the institutionalization of children deprived of a family environment (see, in particular, paragraph 89 of the State party's report);

(b) That review of the placement of children in alternative care is inadequate (see paragraph 206 of the State Party's report).

237. **The Committee recommends that the State party:**

(a) Place emphasis on foster care, including by providing adequate financial support and advice to foster families;

(b) Develop deinstitutionalization policies and continue its efforts to reduce the incidence of institutionalization of children;

(c) Strengthen its review of the placement of children in alternative care, ensuring that it is conducted regularly and frequently and takes into consideration the views and best interests of the child.

5. Basic health and welfare

238. The Committee welcomes the progress made in recent years in reducing the child mortality rate and also welcomes the combining, within the State party's primary health care, of private and public health care provision at a very small charge, and the hospital services offered at two levels. The Committee is concerned, however, that:

(a) Infant mortality, under-5 mortality and child tuberculosis rates remain higher than the regional average, particularly in some northern rural areas, and are also too high in the Azores;

(b) The public health care system, including mental health care services, in the State party requires strengthening and that there is insufficient access to primary health care facilities in some parts of the country;

(c) The State party's health expenditure is notably lower that that of other countries in the region and that this negatively affects respect for children's right to health care.

239. **The Committee recommends that the State party:**

(a) Increase investment in public health care facilities, including investments by civil society;

(b) Ensure the equal access of all children to the highest attainable standard of health care in all areas of the country.

Children with disabilities

240. The Committee welcomes the State party's emphasis on the integration of children with disabilities into mainstream education. However, the Committee remains concerned that resources for the special education of children with disabilities are unevenly distributed across the country, with a particular concentration in Lisbon limiting the access of some children to these facilities.

241. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to ensure the integration of children with disabilities into regular schools;

(b) Review the distribution of resources for the special education of children with disabilities, with a view to ensuring that all children and their families in need of such services have easy access to them.

Adolescent health

242. Noting the establishment of a network functioning in cooperation with the Ministries of Health and Education toward education on adolescent health, the Committee remains concerned that the incidence of teenage pregnancies remains high and at the absence of data on abortions.

243. **The Committee recommends that the State party:**

(a) Take steps to address adolescent health concerns, including teenage pregnancy and sexually transmitted diseases, through, inter alia, sex education, including about birth control measures such as the use of condoms;

(b) Strengthen its mental health and counselling services, ensuring that these are accessible and sensitive to adolescents.

HIV/AIDS

244. Noting the launching of the State party's Health Education Programme to address, inter alia, HIV/AIDS, the Committee remains concerned at the incidence of HIV transmission, including mother-to-child transmission, and at the high incidence of AIDS (10.4 cases per 100,000) in the State party.

245. **The Committee recommends that the State party:**

(a) Continue to strengthen its HIV/AIDS prevention programmes, including safe sex education programmes;

(b) Increase interventions at primary health-care level aimed at limiting mother-to-child transmission of HIV.

6. Education, leisure and cultural activities

246. The Committee notes the significant progress made in increasing the number of children completing secondary education and the implementation of the Programme of Extension and Development of Pre-Primary Education and the "social school action programme". The Committee remains concerned at:

(a) The low levels of investment in education, including pre-school education;

(b) The low enrolment in pre-school education.

(c) The relatively high drop-out and repetition rates in primary and secondary schools, with only 32 per cent of children completing primary school without having repeated a class and a drop-out rate of 22.9 per cent at the ninth grade level;

(d) The limited use of information technology in schools;

(e) The relatively low numbers of children going on to tertiary education from secondary school, with a sharp disparity between males (42 per cent) and females (57 per cent).

247. **The Committee recommends that the State party:**

(a) Increase its investment in education;

(b) Study the causes of high drop-out and repetition rates;

(c) Introduce policies to address the causes of low enrolment in pre-school education;

(d) Continue its efforts to increase the number of children completing secondary education;

(e) Take steps to reduce drop-out rates and to implement its planned reform of secondary education;

(f) Increase the use of information technology in schools;

(g) Take steps to raise the number of persons going on to higher education, giving due attention to reducing gender disparities;

(h) Continue and strengthen efforts to ensure that all teachers benefit from professional training;

(i) Provide particular support to low-income families with a view to increasing the enrolment levels of their children in educational facilities;

(j) Strengthen efforts towards the implementation of the human rights plan of action, including children's right to education, in the light of the Committee's general comment No. 1 on the aims of education.

Leisure

248. The Committee notes the programmes "Support to Youth Associations" and "Initiative" and the promotion of sports activities in schools. The Committee expresses concern that:

(a) Sports activities receive insufficient financial support;

(b) The number of children taking part in sports activities in the State party is much lower than in other countries in the region, particularly for adolescents.

249. **The Committee recommends that the State party:**

(a) Increase its investments in physical activities for students in schools;

(b) Take additional steps to promote and support sports and other leisure activities for children, giving particular attention to children living outside the main urban regions.

7. Special protection measures

Refugees

250. Noting the assistance provided by the State party to refugees, the Committee remains concerned that:

(a) There is no specific refugee status determination procedure for minor asylum-seekers;

(b) Minors do not always have access to psychological care when needed.

251. **The Committee recommends that the State party:**

(a) Develop a refugee status determination procedure for minor asylum-seekers;

(b) Introduce mechanisms providing minors with access to psychological care;

(c) Ensure full implementation of all the provisions of the Asylum Law 15/98.

Street children

252. In the light of its 1995 concluding observations, the Committee remains concerned at the number of street children in the State party's main cities.

253. **The Committee recommends that the State party:**

(a) Study the causes of children living on the street and the scope of the problem;

(b) Develop and implement a comprehensive policy to address the causes of children living on the streets, including through assistance to families and efforts to address concerns with regard to adequate housing and access to education;

(c) Strengthen its assistance to children currently living on the street, including with regard to health and education services, food and housing, drug abuse treatment and counselling;

(d) Ensure that street children are informed of their rights and strengthen children's participation in achieving respect for them.

Substance abuse

254. The Committee notes the "National Strategy in the Fight Against Drugs", but remains concerned at the lack of data on substance and alcohol abuse and smoking.

255. **The Committee recommends that the State party:**

(a) Continue its efforts to prevent substance abuse by children, including through the prohibition of the sale of such substances to children and through addressing factors leading to vulnerability;

(b) Study the interrelationship between accidents and substance abuse and take prevention and law enforcement measures in this regard;

(c) Pursue its efforts to use information campaigns to alert children and adults to the risks of substance abuse, and that the child victims of substance abuse be provided with appropriate care, rehabilitation and assistance.

Juvenile justice

256. The Committee welcomes the State party's implementation of the Committee's 1995 recommendations with regard to reform of the juvenile justice system and the social welfare and security systems. However, the Committee remains concerned that:

(a) Children over 16 may not receive the full benefit of relevant protections in the context of juvenile justice proceedings for criminal acts (see, for example, paragraphs 473 and 501 of the State party's report);

(b) Juvenile justice reforms have not been fully implemented;

(c) Data are insufficient with regard to the placement of children with other families or in institutions.

257. **The Committee recommends that the State party:**

(a) Continue its efforts to fully implement juvenile justice reform;

(b) Ensure that the reform process is conducted with a view to ensuring, for all children, full compliance with international standards, in particular articles 37, 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines);

(c) Ensure, in particular, that children aged 16 and over benefit from full protection of their rights in the context of juvenile justice proceedings.

Minorities

258. Noting the State party's policies targeting the specific needs of children of some minorities, the Committee remains concerned at the difficult social situation of Roma children and their insufficient access to the education system.

259. **The Committee strongly urges the State party to:**

(a) To take measures to improve and implement more effectively existing legislation and policies with regard to ensuring protection of the rights of all children of minority groups, giving particular attention to the situation of Roma children;

(b) Continue to ensure the participation of minorities, including children, in implementing these policies.

8. Optional Protocols

260. The Committee notes the State party's intention, as declared during the dialogue, to proceed with ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and to adopt relevant domestic legislation.

261. **The Committee recommends that the State party also proceed with the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts.**

9. Dissemination of documents

262. Noting the limited dissemination of the State party's initial report, the Committee hopes that the State party's second periodic report will be widely disseminated within the State party.

263. **In light of article 44, paragraph 6, of the Convention, the Committee recommends that the second periodic report and written replies to the list of questions submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned non-governmental organizations.**

Qatar

264. At its 733rd and 734th meetings (see CRC/C/SR.733 and 734), held on 2 October 2001, the Committee on the Rights of the Child considered the initial report of Qatar (CRC/C/51/Add.5), which was received on 29 October 1999, and adopted, at the 749th meeting (CRC/C/SR.749) held on 12 October 2001, the following concluding observations.

A. Introduction

265. The Committee notes that the initial State party report was prepared according to the Committee's guidelines for reporting. It notes the timely submission of the informative written answers. The Committee further notes with appreciation the presence of a high-level and cross-sectoral delegation, which contributed to a frank and open dialogue and a better understanding of the process of implementation of the Convention.

B. Positive aspects

266. The Committee welcomes the adoption of Law No. 25 of 2001 concerning free and compulsory education for all children in the State party.

267. The Committee welcomes the establishment of the Supreme Council of Family Affairs.

268. The Committee welcomes the establishment of the national programme for the dissemination of the Convention.

269. The Committee welcomes new initiatives undertaken by the State party, such as the programme to develop kindergartens, and the launch of a road safety campaign.

270. The Committee welcomes the State party's ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

271. The Committee notes with appreciation the generous financial aid given to developing countries.

C. Factors and difficulties impeding the implementation of the Convention

272. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that in the State party narrow interpretations of Islamic texts, particularly in areas relating to personal status law, may impede the enjoyment of some human rights protected under the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Reservation

273. The Committee welcomes information that the State party is re-examining its reservation to the Convention with a view to amending or withdrawing it. The Committee is concerned that the broad and imprecise nature of the State party's general reservation potentially negates many of the Conventions provisions and raises concern as to its compatibility with the object and purpose of the Convention, as well as the overall implementation of the Convention.

274. **The Committee encourages the State party to expeditiously complete its re-examination of its reservation with a view to narrowing and ultimately withdrawing it, in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights of 1993.**

Legislation

275. The Committee notes the draft Children's Bill; however, it is concerned that several rights contained in the Convention (such as non-discrimination, article 2) are not adequately reflected in domestic law.

276. **The Committee recommends that the State party:**

(a) Conduct a comprehensive review of its domestic laws, including administrative regulations and legal procedural rules, to ensure that they conform to international human rights standards, including the Convention;

(b) Ensure the speedy promulgation of legislation relating to child rights and its effective implementation; and

(c) Ensure that laws are sufficiently clear and precise, are published, and are accessible to the public.

Coordination

277. The Committee notes that the Supreme Council for Family Affairs is the lead body in Qatar entrusted with the implementation of the Convention, which it endeavours to accomplish through its various voluntary committees (e.g. the Committee on Maternity and the Child, the Women's Affairs Committee, etc.). However, the Committee is concerned that its approach to the Convention is not sufficiently rights based, and therefore the effectiveness of these committees in the full implementation of the Convention is limited. Moreover, the Committee notes that Qatar's National Report on the Follow-up to the World Summit for Children indicated that over bureaucratization and a poor level of inter-organizational communication have contributed to a duplication of programmes, the wasting of resources, and an inability to learn from the experiences gained by other institutions.

278. **The Committee recommends that the State party:**

(a) Ensure that the preparation and implementation of its next 10-year national strategy and national plan of action for children, including the implementation of the Convention, is comprehensive, human rights-based and undertaken through an open, consultative and participatory process; and

(b) Give greater attention to intersectoral coordination and cooperation at and between national and local levels of government.

Cooperation with civil society

279. Noting the establishment of the Committee for Coordination between Government Agencies and Non-Governmental Associations, the Committee is concerned that insufficient efforts have been made to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms.

280. **The Committee recommends that the State party:**

(a) Consider a systematic approach to involving civil society, especially children's associations, throughout all stages of the implementation of the Convention, including with respect to civil rights and freedoms; and

(b) Ensure that legislation regulating NGOs conforms to article 15 of the Convention and other international standards on freedom of association, as a step in facilitating and strengthening their participation.

Data collection

281. The Committee welcomes information that the Planning Council is working to create an integrated database on the family.

282. **The Committee encourages the State party:**

(a) To continue its efforts to establish a system such that disaggregated data are collected on all persons under 18 years of age for all areas covered by the Convention, including the most vulnerable groups (i.e. non-nationals, children living in remote areas, children with disabilities, children of economically disadvantaged households, etc.), and to use these data to assess progress and design policies to implement the Convention; and

(b) To seek technical assistance from, among others, UNICEF.

Monitoring structures

283. The Committee notes information from the delegation concerning the establishment of a telephone "safety-line" for children.

284. **The Committee encourages the State party to develop and strengthen this service for children at risk.**

285. The Committee is concerned at the absence of an independent mechanism with a mandate to monitor and evaluate regularly progress in the implementation of the Convention and to receive and address complaints.

286. **The Committee recommends that the State party:**

(a) Establish an independent national human rights institution in accordance with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134) to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively; and

(b) Seek technical assistance from, among others, OHCHR and UNICEF.

Resource allocation

287. The Committee notes significant investment in and increased budgetary allocation for health, education and other parts of the social sector.

288. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to allocate the maximum available resources - human and financial - to health, education, culture and other social services;

(b) Undertake similar efforts to ensure full implementation of the Convention; and

(c) Systematically assess the impact of budgetary allocations on the implementation of child rights.

Training/dissemination of the Convention

289. The Committee welcomes the establishment of the national programme for the dissemination of the Convention. However, it is concerned that awareness of the Convention amongst professionals working with and for children and the general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination, awareness-raising and training activities in a systematic and targeted manner.

290. **The Committee recommends that the State party:**

(a) Strengthen, expand and continue its programme for the dissemination of information on the Convention and its implementation among children and parents, civil society, and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children

(e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel); and

(c) Seek assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

291. The Committee is concerned that the minimum ages for marriage and employment are unclear under Qatari law.

292. **The Committee recommends that the State party review its legislation so that the minimum-age requirements for marriage and employment conform to the principles and provisions of the Convention, are gender neutral and are explicit, and ensure that they are enforced by law.**

3. General principles

Non-discrimination

293. Noting the significant achievements in the improvement in the status of women in Qatar, the Committee is nevertheless concerned that discrimination, contrary to article 2 of the Convention, persists in the State party. In particular, the Committee is concerned about discrimination against females and children born out of wedlock under existing personal status law (e.g. in inheritance, custody and guardianship).

294. **In accordance with article 2 of the Convention, the Committee recommends that the State party:**

(a) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life;

(b) Undertake all possible measures to reconcile fundamental human rights with Islamic texts;

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family; and

(d) Train members of the legal profession, especially the judiciary, to be gender-sensitive. Religious leaders should be mobilized to support such efforts.

295. The Committee is concerned at the disparities in the enjoyment of economic and social rights, particularly the rights to health and education, experienced by children living in rural areas and non-national children.

296. **The Committee recommends that the State party:**

(a) Take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Continue to prioritize and target resources and social services for children belonging to the most vulnerable groups; and

(c) Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

297. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention on the aims of education.**

Best interests of the child

298. The Committee is concerned that in actions concerning children, such as in matters relating to family law, the general principle of the best interests of the child contained in article 3 of the Convention is not always a primary consideration.

299. **The Committee recommends that the State party review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein and that this principle is taken into account when administrative, policy, court or other decisions are made.**

Right to life

300. The Committee is seriously concerned that under the 1994 Juvenile Act there is a possibility that the death penalty or life imprisonment may be imposed for offences committed by persons when they were under 18 years old, contrary to articles 6 and 37 (a) of the Convention.

301. **The Committee strongly recommends that the State party take immediate steps to ensure that the law prohibits the imposition of the death penalty or life imprisonment for crimes committed by persons under 18.**

Respect for the views of the child

302. The Committee is concerned that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools.

303. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate within the family, the school, institutions, the courts, and administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for parents, teachers, social workers and local officials so that they can learn how to help children to express their informed views and opinions and to take those views into consideration; and

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Nationality

304. The Committee is concerned that the 1961 Nationality Act does not grant citizenship to children of Qatari women married to non-nationals, as it does where the father is Qatari.

305. **The Committee recommends that the State party ensure the right of a child to a nationality without discrimination on the basis of either parent's sex, in accordance with articles 2 and 7 of the Convention.**

Protection from torture and inhuman or degrading treatment or punishment

306. The Committee is seriously concerned that, contrary to article 37 (a) of the Convention, under the 1994 Juvenile Act there is a possibility that persons under 18 may be subject to judicial sanctions such as flogging.

307. **The Committee recommends that the State party take immediate steps to ensure that the law prohibits the imposition of flogging and other forms of cruel, inhuman or degrading treatment or punishment on persons who may have committed crimes when they were under 18.**

5. Family environment and alternative care

Violence/abuse/neglect/maltreatment

308. The Committee is concerned that there is insufficient information about and awareness of the ill-treatment of children within the family and institutions.

309. **The Committee recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address it;

(b) Take legislative measures to prohibit all forms of physical and mental violence against children, including corporal punishment and sexual abuse in the family and in institutions;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, including intervention where necessary;

(e) Investigate and prosecute cases of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases; and

(h) Seek assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Adolescent health

310. The Committee is concerned that there is insufficient information available in relation to adolescent health and insufficient access by adolescents to reproductive and mental health counselling services.

311. **The Committee recommends that the State party:**

(a) Ensure that adolescents have access to and are provided with education on reproductive health and other adolescent health issues, as well as with child-sensitive and confidential counselling services;

(b) Strengthen efforts in the area of adolescent health education within the educational system; and

(c) Seek assistance from, among others, UNICEF and WHO.

Children with disabilities

312. The Committee notes the establishment of the National Committee for Persons with Special Needs and the drafting of the Persons with Special Needs Bill. It further notes the State party's efforts at awareness-raising and inclusion.

313. **The Committee recommends that the State party:**

(a) Review existing policies and practice in relation to children with disabilities, including draft legislation, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on "Children with Disabilities" (see CRC/C/69);

(b) Continue to involve children with disabilities and their families in the development of surveys and policy review;

(c) Undertake greater efforts to make available the necessary professional and financial resources;

(d) Undertake greater efforts to promote and expand community-based rehabilitation programmes, including parent support groups, and inclusive education of children with all forms of disability; and

(e) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

314. The Committee is concerned that the aims of education presented in the report do not adequately reflect the aims outlined in article 29 of the Convention, in particular that:

(a) The system of public education continues to emphasize rote learning rather than analytical skills development and is not child-centred;

(b) The choice of some preparatory- and secondary-level programmes may be restricted for girls; and

(c) The development and respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities are not explicitly part of the curricula.

315. **The Committee recommends that the State party, taking into account the Committee's general comment No. 1 on the aims of education:**

(a) Undertake a process of curriculum and teaching methodology reform - with the full participation of children - which stresses the importance of critical thinking and problem-solving skills development;

(b) Direct education to the development of the child's personality, talents and mental and physical abilities to their fullest potential;

(c) Include in the curricula, human rights education, including on children's rights, particularly with respect to the development and respect for human rights, tolerance, and equality of the sexes and religious and ethnic minorities; and

(d) Seek assistance from, among others, UNICEF and UNESCO.

316. Noting the 1993 Ministerial Decree which bans corporal punishment in schools, the Committee remains concerned that this issue is not addressed effectively.

317. **The Committee recommends that the State party raise awareness of the negative impact of corporal punishment among teachers and other professionals working in schools, and take other appropriate measures to prevent and eliminate it.**

8. Special measures of protection

Economic exploitation

318. The Committee is concerned about the lack of information on child labour within the agricultural and domestic service sectors.

319. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes, extent and impact of child labour;

(b) Implement the ILO Minimum Age Recommendation, 1973 (No. 146) and the Worst Forms of Child Labour Recommendation, 1999 (No. 190);

(c) Ratify the ILO Minimum Age Convention, 1973 (No. 138); and

(d) Seek assistance from, among others, ILO.

Camel racing

320. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that sometimes very young children are involved; are trafficked, particularly from Africa (i.e. the Sudan) and South Asia; and are denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3 (1) of ILO Convention No. 138.

321. **The Committee recommends that the State party in accordance with article 32 of the Convention and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which the State party has ratified:**

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No. 190;

(b) Implement - in compliance with all international labour standards - the recommendations of the Committee established by the Supreme Council of Family Affairs to examine the issue of children in camel racing;

(c) Continue to strengthen its efforts to undertake a regional initiative in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from ILO.

Administration of juvenile justice

322. The Committee is concerned that persons under 18 may be prosecuted for crimes in the same manner as adults (i.e. without special procedures), and be subject to the same penalties as adults. Moreover, the Committee is concerned at the criminalization of status offences.

323. **The Committee recommends that the State party:**

(a) Establish a minimum age of criminal responsibility that is in accordance with the principles and provisions of the Convention;

(b) Ensure that its legislation and practice concerning juvenile justice fully reflect the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(c) Expedite the promulgation of the draft juvenile justice law, ensuring that it is applicable to all persons under 18 and that adequate resources are allocated for its effective implementation;

(d) Ensure that the deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by a court, and that persons under 18 are not detained with adults;

(e) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(f) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(g) Train professionals in the area of rehabilitation and social reintegration of children; and

(h) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

324. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documents

325. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.**

Cameroon

326. The Committee considered the initial report of Cameroon (CRC/C/28/Add.16), received on 4 April 2000, at its 737th and 738th meetings (see CRC/C/SR.737-738), held on 4 October 2001 and adopted at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

327. The Committee welcomes the submission of the State party's initial report, which followed the established guidelines. The Committee also takes note of the timely submission of the written replies to its list of issues (CRC/C/Q/CAM/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive, open and frank dialogue it had with the delegation of the State party. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

328. The Committee welcomes the adoption of:

(a) The Act on Education Guidelines (Act 98/004);

(b) The Act containing the Health Framework Law (Act 96/03);

(c) The Act on the Control of Narcotic Drugs, Psychotropic Substances and Precursors and on Extradition and Judicial Assistance in connection with Trafficking in Children, Psychotropic Substances and Precursors (Act 97/019);

(d) The Finance Act 2000/08 incorporating the principle of free primary education at public schools;

(e) The Decree providing for the Organization and Operation of Early Childhood Facilities (2001/110/PM).

329. The Committee also welcomes the ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment by a decree of 17 April 2001.

330. The Committee welcomes the establishment, in 1998, of the Children's Parliament.

331. The Committee notes with satisfaction that the State party is party to all six United Nations human rights treaties and the African Charter on the Rights and Welfare of the Child.

332. The Committee appreciates the actions undertaken by the State party to ameliorate the situation of refugee children.

C. Factors and difficulties impeding the implementation of the Convention

333. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, the fact that the State party is composed of 230 ethnic tribes with different languages, the legal dual system (civil and common law), the coexistence of customary law and statutory law, traditional practices not conducive to children's rights and the high rate of illiteracy affect the full implementation of the Convention. The remoteness and inaccessibility of some areas, as well the disparity in their development, also affect the full implementation of the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

334. The Committee notes the process begun by the State party to harmonize existing legislation with the Convention, but it remains concerned that the domestic legislation, including customary law, is very fragmented and partly unsuitable, outdated and not in conformity with the Convention, and at the continued existence of customs and traditions which impede children fully enjoying their rights.

335. **The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention on the Rights of the Child. In that respect, the Committee recommends that the State party:**

(a) Take steps, using a rights-based approach, to harmonize existing legislation, including customary law, with the Convention;

(b) Consider the adoption of a comprehensive children's code, reflecting the general principles of the Convention on the Rights of the Child;

(c) Adopt a comprehensive family code.

Coordination

336. While the Committee notes that the Ministry of Social Affairs, and more particularly its Departments for the Well-being of Families and Children and for Solidarity, is in charge of the coordination of governmental action on questions relating to children, it is concerned at the lack of an inter-institutional mechanism responsible for coordination at the national level, and particularly at the local level, of the promotion and implementation of the Convention. It is also concerned that there is no comprehensive strategy for the implementation of the various plans of action relevant to the rights of children.

337. **The Committee recommends that the State party take all necessary measures to allocate principal responsibility for coordinating implementation of the Convention to a single body or mechanism. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and appropriate measures be taken to include NGOs.**

Independent/monitoring structures

338. The Committee takes note of Decree No. 90/1549 of 8 November 1990 establishing a National Committee on Human Rights and Freedoms. However, the Committee is concerned at the lack of an independent mechanism to monitor and evaluate effectively progress in the implementation of the Convention, and empowered to receive and address complaints.

339. **The Committee recommends that the State party:**

(a) Consider establishing an independent national human rights institution in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;

(b) Continue efforts to develop good governance strategy and to combat corruption, especially in the social sector;

(c) Seek technical assistance from, inter alia, OHCHR and UNICEF.

Resources for children

340. While noting the State party's priority of increasing the budget allocated to education, the Committee expresses its concern at the decrease in government spending and its adverse impact on the funding of social services for children in particular. The Committee is also concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.

341. **While recognizing the difficult economic conditions, the Committee recommends that the State party:**

(a) Make every effort to increase the proportion of the budget allocated to the realization of children's rights and, in this context, to ensure the provision of appropriate human resources and to guarantee that the implementation of policies relating to children are a priority;

(b) Develop ways to establish systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard.

Data collection

342. While welcoming the publication of the indicators for children and women by the Department of Statistics and National Accounts, the Committee is concerned at the lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

343. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention, disaggregated by gender, age, indigenous and minority groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children victims of abuse, neglect or ill-treatment; children with disabilities; children belonging to marginalized groups, such as Pygmy, Bororos and Mafa children; and other children in need of special protection (see sect. 8 below);

(b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Cooperation with civil society

344. Taking note of the Act on Non-Governmental Organizations (Act 99/014), the Committee is concerned that insufficient efforts have been made to implement this legislation and to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms.

345. **The Committee recommends that the State party:**

(a) Systematically involve communities and civil society, including children's associations, throughout all stages of the implementation of the Convention, including legislation procedure and formulation of policies and programmes and including with respect to civil rights and freedoms;

(b) Ensure that legislation regulating NGOs is fully implemented.

Dissemination of training on the Convention

346. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention (e.g. through radio programmes, seminars and workshops), the Committee is of the opinion that these measures need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

347. **The Committee recommends that the State party:**

(a) Strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;

(b) Translate the Convention into the major written national languages to achieve its widespread dissemination;

(c) Systematically involve community leaders in its programmes in order to fight against customs and traditions which impede the implementation of the Convention, and adopt creative communication measures for illiterate people;

(d) Provide systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(e) Strengthen the focus on children's rights in the educational and advocacy role of the National Committee for Human Rights and Freedoms;

(f) Introduce human rights education, including the rights of the child, into the school curricula;

(g) Seek technical assistance from, inter alia, OHCHR and UNICEF.

2. Definition of the Child

348. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and that of girls (15 years), which is gender discriminatory and allows for the practice of early marriage, which is still widespread. The Committee is further concerned that the minimum and upper age limits have not been set for compulsory education, that a child below the age of 18 years may be recruited into the armed forces with parental consent and at the lack of a minimum age for medical counselling without parental consent.

349. **The Committee recommends that the State party:**

(a) Raise the minimum age for marriage to 18 for both boys and girls; and develop sensitization programmes involving community leaders and society at large, including children themselves, to curb the practice of early marriage;

(b) Set a minimum and upper age limit for compulsory education;

(c) Set a minimum age of 18 years for recruitment into the armed forces, without any possibility of recruitment below that age, even with parental consent;

(d) Set a minimum age for medical counselling without parental consent, to make access to health services possible for adolescents.

3. General principles

Non-discrimination

350. While noting that discrimination is prohibited under the Constitution and noting that the State party has recently taken measures to increase the enrolment in schools of girls in priority education zones, the Committee is concerned at the persistence of discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups (e.g. girls, children with disabilities, children born out of wedlock; children from rural areas, least developed provinces (Far-North, North and Adamawa); Pygmy children and children from other marginalized population groups.

351. **The Committee recommends that the State party:**

(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services to children belonging to the marginalized and most vulnerable groups.

352. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of general comment No. 1 on article 29.1 of the Convention (aims of education).**

The right to life, survival and development

353. The Committee is deeply concerned at the living conditions of children detained in jails and prisons, which are so deplorable that they endanger their life.

354. **The Committee recommends that the State party take all necessary measures to ensure that detained children are provided access to health and education services and with food, and that the conditions meet the needs of the children and are compatible with the rights under the Convention.**

Respect for the views of the child

355. While noting that the much appreciated Children's Parliament serves as a forum for children to express their views, the Committee is concerned that respect for the views of the child remains limited within the family, in schools, in the courts and before administrative authorities and in the society at large owing to traditional attitudes.

356. **The Committee encourages the State party to pursue its efforts to:**

(a) Promote and facilitate within the family, in schools, in the courts, including customary courts, and in administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with their age and maturity, in the light of article 12 of the Convention;

(b) Provide educational information to, inter alia, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into consideration;

(c) Establish municipal councils for children.

4. Civil rights and freedoms

Birth registration

357. While taking note of Ordinance No. 81/2 of 29 June 1981 which makes it an obligation to declare a birth to the registry official at the place of birth, and the designation of special registration officers, the Committee remains concerned at the large numbers of children whose birth is not being registered.

358. **In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts to ensure the registration of all children at birth, including through awareness-raising campaigns, and to consider introducing mobile registration units.**

Torture and ill-treatment

359. Further to the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Cameroon (E/CN.4/2000/9/Add.2) and in line with the concluding observations of the Committee against Torture (A/56/44, paras. 60-66) and of the Human Rights Committee (A/55/40, paras. 184-227), the Committee is deeply concerned that children are victims of cruel, inhuman or degrading treatment, sometimes constituting torture, committed notably at police stations, in detention places and in prisons. The Committee is also very concerned at some instances of forced disappearance and extrajudicial execution of children.

360. **In the light of the recommendations of the Committee against Torture and of the Human Rights Committee, the Committee recommends that the State party:**

(a) Address the causes and incidence of torture and cruel, inhuman or degrading treatment of children, in order to end and prevent these violations of children's rights;

(b) Establish an independent mechanism to investigate reports of torture, forced disappearance and extrajudicial execution of children and to bring to justice the persons responsible;

(c) Adopt legislative measures for the fullest compensation and rehabilitation of child victims of torture;

(d) Establish accessible and child-sensitive structures for complaints of children; and

(e) Systematically train the police force, prison staff and the judiciary on the human rights of children.

5. Family environment and alternative care

Recovery of children's maintenance allowance

361. While domestic legislation includes provisions for the payment of a maintenance allowance in the case of divorce or judicial separation, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law, and at the lack of legal provisions regarding maintenance for children born out of wedlock.

362. **The Committee recommends that the State party:**

(a) Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning the payment of a maintenance allowance;

(b) Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay;

(c) Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers.

Children deprived of their family environment

363. The Committee is very concerned that current facilities available for the alternative care of children deprived of their family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care. The Committee is also concerned that there is no legislative structure for the protection of the best interests of the child in cases of intercountry adoption.

364. **The Committee recommends that the State party:**

(a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children, inter alia through the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies;

(b) Provide for regular periodic review of the placement of children in institutions;

(c) Establish a formal procedure to guarantee the best interests of the child in cases of intercountry adoption and consider ratifying the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption; and

(d) Seek assistance from UNICEF in this regard.

Protection from abuse and neglect

365. While noting that child abuse is a crime under article 350 of the Penal Code, and that a national study on violence and abuse against children has been launched by the Ministry of Social Affairs, the Committee is deeply concerned at the very high incidence of abuse within family and in schools in the State party and at the lack of statistical data in this regard.

366. **The Committee recommends that the State party:**

(a) Complete as soon as possible the study on violence at home and in schools undertaken by the Ministry of Social Affairs, and assess the scope, nature and causes of such violence, in order to adopt effective measures and policies, in conformity with article 19 of the Convention, and to contribute to changing attitudes;

(b) Properly investigate cases of domestic violence and violence in schools through a child-sensitive judicial procedure, and that sanctions be applied to perpetrators, due regard being given to guaranteeing the right to privacy of the child;

(c) Give appropriate weight to children's views in legal proceedings, provide support services to child witnesses in legal proceedings, and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;

(d) Seek technical assistance from, inter alia, UNICEF.

6. Basic health and welfare

367. While taking note of the adoption of several national programmes relating to child survival, and the establishment of a sub-department for family health within the Ministry of Public Health, the Committee is deeply concerned at the high and increasing infant and under-five mortality rates and low life expectancy in the State party. The Committee also remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human). In addition, the Committee is concerned that the survival and development of children in the State party continue to be threatened by early childhood diseases, such as acute respiratory infections and diarrhoea, and by chronic malnutrition. Concern is also expressed at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural communities.

368. **The Committee recommends that the State party:**

(a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;

(b) Facilitate greater access to primary health-care services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation;

(c) Pursue additional avenues for cooperation and assistance for child health improvement with, inter alia, WHO and UNICEF.

Adolescent health

369. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the very high percentage of early marriages, which can have a negative impact on their health.

370. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls;

(b) Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents.

HIV/AIDS

371. While noting the existence of a national AIDS prevention programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to ensure cheap access to AIDS drugs), the Committee remains extremely concerned at the high and increasing prevalence of HIV/AIDS among adults and children, and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

372. **The Committee recommends that the State party:**

(a) Increase its efforts to prevent the spread of HIV/AIDS and take into consideration the recommendations the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);

(b) Urgently consider ways of minimizing the impact on children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and education;

(c) Involve children in formulating and implementing preventive policies and programmes;

(d) Seek further technical assistance from, inter alia, UNAIDS.

Traditional harmful practices

373. While noting that the prevalence of female genital mutilation is not as high in the State party as in other countries of the region, the Committee is concerned at the use of this practice in the State party and at the lack of legal prohibition or national strategy of prevention of this practice.

374. **The Committee urges the State party to adopt legislation prohibiting the practice of female genital mutilation and to implement programmes to sensitize the population about the harmful effects of this practice. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.**

Children with disabilities

375. Noting the current efforts by the State party (notably Act No. 83/013 of 21 July 1983 on the Protection of Disabled Persons and the Establishment of a Sub-Department for the Protection of Disabled Persons within the Ministry of Social Affairs), the Committee is concerned at the lack of statistical data on children with disabilities in the State party, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, education and employment possibilities available for them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

376. **The Committee recommends that the State party:**

(a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;

(b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;

(c) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69);

(d) Allocate adequate resources to strengthen services for children with disabilities, to support their families and for training of professionals in the field;

(e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;

(f) Carry out genetic and other studies to assess the causes of disabilities in the State party;

(g) Sensitize the population to the human rights of children with disabilities;

(h) Seek assistance from, inter alia, UNICEF and WHO.

Standard of living

377. The Committee notes the challenging socio-economic situation and the comprehensive debt reduction package recently agreed under the International Monetary Fund/World Bank enhanced heavily indebted poor countries initiative. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, children living in remote rural and other under-developed areas, and children belonging to marginalized groups of the population. In addition, while taking note of the State party's intention to improve the coverage of the social security system, it joins the State party in expressing concern at the limited access to such assistance, and the need to reform the social security system.

378. **In accordance with article 27 of the Convention, the Committee recommends that the State party:**

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Paper and in all programmes intended to improve the standard of living in the country;

(c) Cooperate and coordinate its efforts with civil society and local communities;

(d) Reform the social security system, with a view to broadening its coverage after completion of the studies undertaken by the State party to this end.

7. Education, leisure and cultural activities

379. While noting the adoption of the Act on Education Guidelines (Act No. 98/004) and the Finance Act 2000/08, the Committee remains deeply concerned that primary education is not yet entirely free to all in the State party. The Committee is also concerned at the low education levels among children in the State party, gender, rural/urban and regional disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in their primary education, the high drop-out rate from school, the large number of children per classroom and the decline in the number of primary-school teachers due to the freeze on their recruitment. The Committee is also concerned at the very high prevalence of violence against, and sexual abuse of children in schools.

380. **The Committee recommends that the State party:**

(a) Urgently implement the Finance Act 2000/08 to make primary education free to all and in addition provide financial assistance for the costs of transportation, when needed, uniforms and other school materials for poor families;

(b) Raise the level of educational achievement among children through, inter alia, effectively decreasing the drop-out rate, increasing the number of classrooms and teachers, providing initial and ongoing training of teachers and school inspectors, developing standard national textbooks and increasing the rates of enrolment;

(c) Ensure that children with disabilities have access to formal and vocational educational opportunities and that girls and boys, as well as children from urban, rural and least developed areas, and from marginalized groups of the population have equal access to educational opportunities;

(d) Pursue its efforts to include "education for peace and tolerance", children's rights and other human rights subjects in the curricula of primary and secondary schools;

(e) Address education to the aims mentioned in article 29.1 of the Convention and the Committee's general comment on the aims of education;

(f) Monitor and enforce the ban of corporal punishment in schools and train teachers in regard to alternative measures of discipline;

(g) Take measures against teachers who are violent and abusive towards students;

(h) Establish child-sensitive structures for children to make complaints;

(i) Take measures to prevent bullying and sexual abuse of students by other students;

(j) Pursue efforts for special projects of education for children belonging to marginalized groups like the Pygmies;

(k) Encourage participation of children at all levels of school life;

(l) Seek assistance from UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking and unaccompanied children

381. The Committee, while acknowledging the efforts made to ameliorate the situation of child refugees, is concerned about the inadequate standards, procedures, policies and programmes to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their registration, adequate education and other social services.

382 **The Committee recommends that the State party:**

(a) Establish a national system for determining the status of asylum-seekers, and integrate the rights of refugees into its domestic law;

(b) Urgently set up a system for the registration of refugee children;

(c) Consider ratifying the 1954 and 1961 Conventions on statelessness;

(d) Continue and expand its cooperation with international agencies such as, UNHCR and UNICEF.

Economic exploitation, including child labour

383. While noting the recent ratification by the State party (August 2001) of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, the Committee is deeply concerned that child labour in the State party is extremely widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also concerned at practices of forced labour among children belonging to certain groups of the population, such as the Pygmies and the Kirdi.

384. **The Committee recommends that the State party:**

(a) Consider ratifying and implementing ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(b) Adopt and implement the national plan of action to combat child labour;

(c) Strengthen the implementation of the labour laws and increase the number of labour inspectors;

(d) Continue to seek assistance from ILO with a view to participating in IPEC.

Sale, trafficking and abduction

385. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at

information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

386. **The Committee recommends that the State party:**

(a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(b) Facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them;

(c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Street children

387. The Committee expresses its concern at the increasing number of street children and at the lack of specific mechanisms to address this situation and to provide these children with adequate assistance.

388. **The Committee recommends that the State party:**

(a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with: recovery and reintegration services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families;

(c) Undertake a study on the causes and scope of this phenomenon and develop a comprehensive strategy to address the high and increasing numbers of street children, with the aim of preventing and reducing this phenomenon.

Commercial sexual exploitation and pornography

389. The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in child labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation.

390. **In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the extent of the commercial sexual exploitation of children, including for prostitution and**

pornography, and implementing appropriate policies and programmes for its prevention and for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.

Administration of juvenile justice

391. While recognizing the State party's efforts in this domain, including legislation, decrees and ministerial circulars, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned at the absence of juvenile courts and juvenile judges, and the lack of social workers and teachers to work in this field. In addition, the Committee is deeply concerned at the poor conditions of detention, due notably to overcrowding in detention and prison facilities, overuse and long periods of pre-trial detention, the length of time before the hearing of juvenile cases, the absence of assistance towards the rehabilitation and reintegration of juveniles following judicial proceedings, and the sporadic training of judges, prosecutors and prison staff. Noting that there are no criminal penalties for children below the age of 14 years, the Committee is still concerned that the minimum age for criminal responsibility is too low (10 years).

392. **The Committee recommends that the State party take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System.**

393. **In addition, the Committee recommends that the State party:**

(a) Raise the age of criminal responsibility;

(b) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the country;

(c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period and limit by law the length of pre-trial detention;

(d) Provide children with legal assistance at an early stage of the proceedings;

(e) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including through addressing the problem of overcrowding in prisons and establishing special prisons for children with conditions suited to their age and needs, and in the meantime guarantee the separation of children from adults in prisons and places of pre-trial detention throughout the country;

(f) Ensure that children in conflict with the law do not receive the same sanctions as adults;

(g) Ensure that children remain in regular contact with their families while in the juvenile justice system;

(h) Introduce regular medical examination of inmates by independent medical staff;

(i) Establish an independent child-sensitive and accessible system for complaints for children;

(j) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(k) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings; and

(l) Request technical assistance in the area of juvenile justice and police training from, inter alia, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Minorities

394. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination. The Committee is also concerned at the displacement of Pygmy families, including children, as a result of logging policies.

395. **The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.**

9. Optional Protocols and amendment to article 43.2

396. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee welcomes the fact that the State party has recently accepted the amendment to article 43.2 of the Convention on the Rights of the Child concerning the expansion of the Committee from 10 to 18 members.

397. **The Committee encourages the State party to ratify and implement the two Optional Protocols to the Convention on the Rights of the Child.**

10. Dissemination of documents

398. **Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Gambia

399. The Committee considered the initial report of the Gambia (CRC/C/3/Add.61), received on 20 November 1999, at its 739th and 740th meetings (see CRC/C/SR.739-740), held on 5 October 2001, and adopted, at the 749th meeting (CRC/C/SR.749) held on 12 October 2001, the following concluding observations.

A. Introduction

400. While the Committee welcomes the State party's initial report, it regrets that it does not fully follow the guidelines established by the Committee. The Committee welcomes the timely submission of written replies to its list of issues (CRC/C/Q/GAM/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee is encouraged by the constructive dialogue it had with the State party and the positive reactions to the suggestions and recommendations made during the discussion. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

401. The Committee welcomes the inclusion of a section on the rights of the child in the 1997 Constitution.

402. The Committee welcomes the recent ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

403. The Committee notes with appreciation that the State party has formulated and launched a National Nutrition Policy and Programme (2000-2004). The Committee also expresses its appreciation for the Participatory Health, Population and Nutrition Project, which was launched with support from the World Bank and the African Development Bank.

404. The Committee welcomes the HIV/AIDS Rapid Response Project (HARRP), launched in 2001, to help combat the spread of HIV/AIDS.

405. The Committee welcomes the National Disability Survey 1998, which was conducted in cooperation with UNICEF to identify the kinds of disabilities afflicting children and their geographical location, and to facilitate programming in this regard.

406. The Committee welcomes the creation of a Global Movement for Children Committee (GMC) at the National Assembly.

407. The Committee welcomes the National Education Policy 1988-2003 and notes with appreciation that the Third Education Sector Programme was recently launched to increase access to education and improve the quality and relevance of education within the State party. Finally, the Committee also welcomes the launch of the scholarship trust fund for girls, which was established in 2000 as a measure of affirmative action to promote the enrolment of girls in schools.

C. Factors and difficulties impeding the implementation of the Convention

408. The Committee acknowledges that the economic and social difficulties facing the State party have had and still have a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, it notes the impact of high external debt payments and increasing levels of unemployment and poverty, especially on children belonging to the most vulnerable groups. The Committee further notes that the limited availability of skilled human resources and the high population growth rate also adversely affect the full implementation of the Convention. The Committee also acknowledges that the coexistence of various ethnic groups and several legal systems (common law, customary law and the sharia), and the effects of traditional practices not conducive to the rights of the child, are other elements which affect the full implementation of the Convention.

D. Subjects of concern and recommendations

1. General measures of implementation

Legislation

409. While noting that chapter IV of the new Constitution (1997) is entirely devoted to fundamental human rights and freedoms, with a special section on children (sect. 29), the Committee is concerned that domestic legislation, including customary law and the sharia, does not fully reflect the principles and provisions of the Convention. The Committee is also concerned that the legislation relevant to children's rights is fragmented in different laws. The Committee expresses concern at the continued existence of customs and traditions which prevent children from fully enjoying their rights.

410. **The Committee recommends that the State party take effective measures, including a thorough review of all existing legislation, to ensure that domestic law, including customary and Islamic laws, fully conforms to the provisions and principles of the Convention on the Rights of the Child. In that respect, the Committee also encourages the State party to expedite the enactment of a comprehensive children's code. The Committee strongly recommends that the State party rapidly implement the Human Rights Promotion and Protection Programme which includes plans to harmonize domestic laws with the Convention. The Committee recommends that the State party seek technical assistance from, among others, OHCHR and UNICEF.**

Coordination

411. While noting with satisfaction that a focal point has recently been appointed by the Attorney-General's Chambers and the Department of State for Justice to liaise between UNICEF and the Department in work towards the full implementation of the Convention, the Committee is concerned that the National Commission on Children's Rights, aimed at coordinating and facilitating the implementation of the Convention on the Rights of the Child as well as child-related programmes and policies, has not yet been established and that there continues to be no effective mechanism to coordinate the implementation of the Convention.

412. **The Committee recommends that the State party take all effective measures to establish the National Commission on Children's Rights and ensure the effective coordination of the implementation of the Convention at the national and local levels. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and that appropriate measures be taken to include NGOs.**

Data collection

413. The Committee is concerned that the data collection mechanism within the State party does not ensure the adequate collection of disaggregated data on all aspects of the Convention, monitor and evaluate progress achieved, and assess the impact of policies adopted with respect to children.

414. **The Committee recommends that the State party strengthen its efforts to establish a comprehensive mechanism to collect data, disaggregated by gender, age, minority group and rural and urban area. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies relevant to children. The data collection mechanism should incorporate all the areas covered by the Convention and cover all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable. In this context, the Committee recommends that the State party seek technical assistance from, among others, UNFPA, UNDP and UNICEF.**

Independent monitoring mechanisms

415. While noting that the Department for Social Welfare is currently responsible for receiving and investigating individual complaints of violation of the rights of children, the Committee notes that the mandate of the Office of the Ombudsman does not adequately cover issues relevant to children's rights. The Committee is concerned that the State party has not established an independent monitoring mechanism to receive and investigate individual complaints of violation of the rights of children.

416. **The Committee encourages the State party to expand the mandate of the Office of the Ombudsman or establish a separate monitoring mechanism to deal with complaints of violations of the rights of children and to provide remedies for such violations. This monitoring mechanism should be set up, in accordance with the Paris Principles (General Assembly resolution 48/134), to monitor and evaluate progress in the**

implementation of the Convention at the national and, if appropriate, at the local level, should be accessible to children, and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively. The Committee further suggests that the State party introduce an awareness-raising campaign to facilitate the effective use by children of such a mechanism. The Committee recommends that the State party seek technical assistance from, among others, OHCHR and UNICEF.

Resources for children

417. While the Committee welcomes the strong efforts to take steps towards sustainable development, notes the increase in the budget allocations for social services and is aware of the economic and social challenges faced by the State party, it remains concerned that in light of article 4 of the Convention, not enough attention has been paid in allocating budgetary resources, at both the national and local levels, in the best interests of children "to the maximum extent of ... available resources".

418. **In light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, especially economically and geographically disadvantaged groups, to the maximum extent of available resources (at the national and local levels) and, where needed, within the framework of international cooperation. The Committee further recommends that the State party make children, particularly those in need of special protection, the target of the Poverty Reduction Strategy Paper to be finalized in December 2001.**

Dissemination of the Convention

419. While noting the initiatives of the State party to promote awareness of the principles and provisions of the Convention, the Committee is concerned that professional groups, children, parents and the public at large are still not sufficiently aware of the Convention and the rights-based approach enshrined therein.

420. **The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and understood by adults and children alike. In this regard, the Committee encourages the State party to use traditional means of communication and to involve the media in its awareness-raising campaigns. The Committee recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators, health personnel, including psychologists and social workers, personnel of childcare institutions, and traditional or community leaders. The Committee also recommends that the State party expedite the implementation of the syllabus prepared for human rights education, including children's rights, in schools. The Committee encourages the State party to take**

effective measures to translate the Convention into local languages. The Committee further suggests that the State party seek technical assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

421. The Committee is concerned that there is no clear legal definition of the child in the State party and that various legal minimum ages which are inconsistent with the Convention, discriminatory and/or too low have been set.

422. **With reference to paragraph 60 of the State party's initial report, the Committee encourages the State party to take the necessary legislative measures:**

(a) To establish a clear definition of the child in accordance with article 1 and other related principles and provisions of the Convention;

(b) To set the legal minimum age for marriage of girls and boys at 18 years; and

(c) To establish clear legal minimum ages for compulsory education, employment and enlistment in the armed forces, in accordance with the principles and the provisions of the Convention.

3. General principles

Non-discrimination

423. While noting that the 1997 Constitution sets out to eliminate all forms of discrimination, the Committee is concerned that section 33 (5) of the Constitution excludes matters of personal law such as marriage, divorce and inheritance, and matters ruled by customary law, and that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, especially girls, children born out of wedlock and children with disabilities. The Committee is particularly concerned about the limited access of these children to adequate health, education and other social services.

424. **The Committee, with reference to paragraph 70 of the State Party's initial report, encourages the State party to amend its Constitution to exclude all forms of discrimination and to take all effective measures to implement laws, policies and programmes in order to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children.**

425. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention on the aims of education.**

Respect for the views of the child

426. The Committee notes with concern that traditional practices and attitudes still limit the full implementation of article 12 of the Convention.

427. **The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children, particularly at the local levels and in traditional communities, and encourage respect for the views of the child in families, schools, and the care and judicial systems.**

4. Civil rights and freedoms

Birth registration

428. The Committee notes that the law provides for the registration of children at birth. However, it is concerned that many children, particularly those born at home and those living in rural communities, are not registered. The Committee is also concerned that children do not easily obtain birth certificates, which are necessary for access to education.

429. **In light of articles 7 and 8 of the Convention, the Committee recommends that the State party strengthen its efforts to raise awareness among government officers, midwives, community and religious leaders and parents themselves, in order to ensure that all children are registered at birth. The Committee also recommends facilitating the issuance of birth certificates, for example by combining birth registration with the automatic and issuance of a free birth certificate.**

Corporal punishment

430. The Committee expresses grave concern that corporal punishment is still practised and accepted in schools, families, and care and juvenile detention institutions, and as a punishment in the penal system.

431. **The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment as a penal sanction within the juvenile justice system, in schools and care institutions, as well as in families. The Committee encourages the State party to reinforce its public awareness campaigns to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.**

5. Family environment and alternative care

Recovery of maintenance for the child

432. The Committee notes that the Maintenance Act (Cap. 44:03, Laws of the Gambia) obliges parents to provide financial support to children and that the Department of Social Welfare has assisted the parents to obey this Act. While noting the socio-economic challenges

within the State party, the Committee expresses concern that the amount allocated for the payment of maintenance for children is generally insufficient and is often decided on ad hoc bases.

433. **The Committee recommends that the State party take effective measures to review its policies, guidelines and procedures for the administration and implementation of the Maintenance Act in order to ensure the adequate and effective recovery of maintenance for children.**

Protection of children deprived of a family environment

434. The Committee expresses concern at the increasing number of children deprived of a family environment and the inadequate facilities and services for them. The Committee also notes with concern the absence of an independent complaint mechanism for children in alternative care institutions, the inadequate review of their placement in institutions as well as the lack of available trained personnel in this field. Concern is also expressed at the insufficient financial and human resources allocated for alternative care, as well as to the Department of Social Welfare.

435. **The Committee recommends that the State party take effective measures to improve alternative care through, inter alia, the allocation of adequate financial and human resources, including to the Department of Social Welfare. It further recommends that the State party provide additional training, including in children's rights, for social and welfare workers, ensure the periodic review of placements in institutions and establish an independent complaints mechanism for children in alternative care institutions.**

Adoption and foster care

436. While noting that the Adoption Act (1992) provides for the regulation of adoptions (domestic and intercountry), the Committee expresses concern that informal adoptions, which are generally not monitored with respect to the best interests of the child, are more widely accepted and practised within the State party. While the Committee notes the efforts of the State party to introduce a foster care programme, it is concerned that "informal foster care" within the extended family system is still preferred.

437. **In light of article 21 of the Convention, the Committee recommends that the State party strengthen administrative procedures for formal domestic and intercountry adoptions, in order to prevent the abuse of the practice of informal adoption and guarantee the protection of the rights of children. In light of the increasing number of children deprived of a family environment, the Committee recommends that the State party promote and encourage formal adoptions and reinforce its foster care programme. Additionally, the Committee encourages the State party to accede to the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.**

Abuse/neglect/abandonment/maltreatment/violence

438. The Committee is concerned about the high and increasing incidence of physical and sexual abuse of children, including in schools, care institutions and at home. Concern is also expressed about the lack of awareness of and information on domestic violence, ill-treatment and abuse (sexual, physical and psychological) of children and the insufficient financial and human resources allocated for programmes to combat abuse against children.

439. **In light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) in order to adopt policies which will help to change attitudes and improve the prevention and treatment of cases of violence against children. The Committee encourages the State party to consider introducing an effective system for reporting cases of abuse, including sexual abuse, of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated within a child-sensitive judicial procedure and that sanctions be applied to perpetrators, with due regard given to protecting the right to privacy of the child. In accordance with article 39 of the Convention, measures should be taken to ensure the rehabilitation of victims as well as perpetrators. Efforts should also be made to prevent the criminalization and stigmatization of child victims of abuse. The Committee recommends that the State party seek technical assistance from, among others, UNICEF and UNDP.**

6. Basic health and welfare

Right to health and access to health services

440. The Committee notes the efforts of the State party to improve health care for children through, inter alia, the National Nutrition Policy and the Participatory Health, Population and Nutrition Project. However, the Committee is concerned at the insufficient number of trained medical personnel; the lack of medicines, equipment and support for health workers; the high maternal, child and infant mortality rates; the high rate of malnutrition; the increasing incidence of HIV/AIDS; the high incidence of malaria and acute respiratory infections; poor sanitation and limited access to safe drinking water, especially in rural areas.

441. **The Committee recommends that the State party:**

(a) Allocate sufficient resources to reinforce its policies and programmes to improve health care for children;

(b) Take all effective measures to increase the number of trained medical and other health personnel, including traditional healers; facilitate cooperation between trained medical personnel and traditional healers, especially midwives; reduce the incidence of maternal, child and infant mortality; increase access to safe drinking water; improve sanitation; prevent and combat malnutrition; and reduce the incidence of malaria and acute respiratory infections;

(c) Take all effective measures to facilitate greater access to health services by, inter alia, abolishing or rationalizing cost-sharing in primary health care to reduce the burden on poor families;

(d) Continue its cooperation, through the Integrated Management of Childhood Illnesses and other measures for child health improvement, with, among others, WHO and UNICEF.

Adolescent health

442. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate data in the area of adolescent health, violence, suicides, mental health, alcohol and substance abuse, and, especially, early and forced marriage and early pregnancy and STDs.

443. **The Committee recommends that the State party strengthen adolescent health policies, including reproductive health education. Further, the Committee suggests that a comprehensive and multidisciplinary study be undertaken to assess the scope of adolescent health problems. It also recommends that the State party undertake awareness-raising campaigns to discourage early and forced marriages. Additionally, it recommends that the State party allocate adequate human and financial resources to increase the number of social workers and psychologists and to develop youth-sensitive care, counselling and rehabilitation facilities for adolescents. It is further recommended that the State party seek technical assistance from, among others, UNICEF and WHO.**

HIV/AIDS

444. While noting the launch of the HIV/AIDS Rapid Response Programme, the Committee remains extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

445. **The Committee recommends that the State party:**

(a) Increase its efforts to prevent HIV/AIDS and take into consideration the recommendations the Committee adopted at its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);

(b) Urgently consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, adoption, emotional care and education;

(c) Involve children in formulating and implementing preventive policies and programmes; and

(d) Seek further technical assistance from, among others, UNAIDS.

Female genital mutilation

446. While the Committee notes the launch in March 1997 of the First National Action Plan for the Eradication of Female Genital Mutilation, it remains concerned that female genital mutilation (FGM) is not prohibited by law and is still widely practised in the State party. Concern is also expressed about the persistent use of other harmful traditional practices, including early, consanguine and forced marriages.

447. **The Committee recommends that the State party take legislative and awareness-raising measures to combat and eradicate the persistent practice of FGM and other traditional practices harmful to the health, survival and development of children, especially girls. The Committee urges the State party to introduce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes and discourage harmful practices.**

Children with disabilities

448. The Committee is concerned about the inadequate legal protection and the insufficient facilities and services for children with disabilities. Concern is also expressed at the limited number of trained teachers available to work with children with disabilities, as well as the insufficient efforts made to facilitate their inclusion into the educational system and generally within society. The Committee also notes with concern the inadequate resources allocated to special education programmes for children with disabilities.

449. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on "The rights of children with disabilities" (CRC/C/69, paras. 310-339), it is recommended that the State party:**

(a) Take effective measures to collect adequate statistical data on children with disabilities and to ensure the use of such data in the development of policies and programmes for these children;

(b) Reinforce its efforts to develop early detection programmes to prevent disabilities;

(c) Implement alternatives to the institutionalization of children with disabilities;

(d) Establish special education programmes for them and, where feasible, integrate them into mainstream schools and public life;

(e) Undertake awareness-raising campaigns to sensitize the public about the rights and special needs of children with disabilities as well as children with mental health concerns;

(f) Increase resources, both financial and human, allocated to special education and enhance the support given to families of children with disabilities; and

(g) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, WHO and UNESCO.

Right to an adequate standard of living

450. The Committee is concerned about widespread poverty and the increasingly high numbers of children who do not enjoy the right to an adequate standard of living, including children belonging to poor families, street children, child beggars, refugee and asylum-seeking children, and children living in remote rural communities.

451. **The Committee recommends that in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when introducing its Poverty Reduction Strategy and all other programmes intended to improve the standard of living in the country. In this regard, the Committee encourages the State party to coordinate its efforts with civil society and local communities.**

7. Education

Right to and aims of education

452. The Committee notes the efforts of the State party to improve the situation of education in the country, including the recent launching of the Third Education Sector Programme. Nevertheless, the Committee expresses concern that primary education is not free in practice, which further limits access to education, especially for girls, children from economically disadvantaged families and those living in remote rural communities. Concern is also expressed regarding low enrolment and high drop-out and repetition rates, insufficient numbers of trained teachers, an insufficient number of schools and classrooms, lack of relevant learning material, and geographical disparity in enrolment rates and access to education. The Committee is particularly concerned about the high rate of illiteracy within the State party, especially in relation to girls. In light of article 29 (1) of the Convention, the Committee is also concerned about the quality of education within the State party.

453. **The Committee urges the State party to take legal and other measures to guarantee the right to education for all children within its territory. The Committee recommends that the State party take effective measures, including the allocation and distribution of adequate financial, human and technical resources, to make primary education free, train teachers, including female teachers effectively, enhance the quality of education and improve the literacy rate. It is further recommended that the State party reinforce its efforts to increase enrolment in schools by, inter alia, abolishing and/or rationalizing user fees at all levels of the educational system. The State party should pay particular attention**

to the quality of education, in light of article 29 (1) and the Committee's general comment No. 1 on the aims of education. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking and unaccompanied children

454. The Committee is concerned about the inadequate standards, procedures and policies to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their access to adequate education, health and other social services.

455. **The Committee recommends that the State party take effective legal and other measures to ensure adequate protection of refugee, asylum-seeking and unaccompanied children and implement further policies and programmes to guarantee their access to health, education and social services. The Committee further recommends that the State party introduce training programmes for immigration officers and others involved in the custody, interrogation and treatment of refugee and asylum-seeking children. The Committee encourages the State party to reinforce its cooperation with UNHCR.**

Street children

456. The Committee expresses grave concern at the high and increasing number of street children. In particular, the Committee notes their limited access to health, education and other social services as well as their vulnerability to police brutality, sexual abuse and exploitation and economic exploitation.

457. **The Committee recommends that the State party:**

(a) Take all effective measures to ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, to support their full development;

(b) Ensure that these children are provided with preventive and rehabilitative services for physical, sexual and substance abuse, protection from police brutality, and services for reconciliation with their families; and

(c) Undertake a study to assess the scope and the causes of the phenomenon and consider establishing a comprehensive strategy to address the high and increasing number of street children with the aim of preventing and reducing this phenomenon.

Child beggars

458. The Committee is concerned at the high number of children who are begging in the streets. The Committee notes that these child beggars, referred to as almudus, are scholars under

the guardianship of Islamic religious education teachers called marabouts. The Committee is concerned at their vulnerability to police brutality, sexual abuse and exploitation and economic exploitation.

459. **The Committee recommends that the State party conduct a study in order to better assess the scope of this phenomenon and introduce programmes to discourage and prevent child begging, and to involve the Islamic religious education teachers or marabouts in these programmes.**

Economic exploitation

460. In light of the current economic situation and the increasing number of school drop-outs, the Committee is concerned about the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation within the State party. The Committee also notes with concern that there is no legal minimum age for employment in accordance with ILO Convention No. 138 concerning Minimum Age for Admission to Employment. Grave concern is expressed about the increasing number of child labourers, including domestic servants.

461. **The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sectors. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour, including in the informal sector, children working on the streets and domestic workers. The Committee urges the State party to establish a clear legal minimum age for employment.**

Sexual exploitation and sexual abuse

462. The Committee is concerned about the large and increasing number of child victims of commercial sexual exploitation, including for prostitution and pornography, especially among child labourers and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

463. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including for prostitution and pornography, and implementing appropriate preventive and rehabilitative policies and programmes for child victims. The Committee also encourages the State party to pursue its efforts to adopt a national plan of action against commercial sexual exploitation of children, taking into account the recommendations formulated in the Agenda for Action adopted at the 1996 World Congress against Commercial Sexual Exploitation of Children.**

Administration of juvenile justice

464. The Committee notes that a National Committee on Juvenile Justice was established in 1998 to consider measures to strengthen preventive and reintegrative processes in the juvenile

justice system. The Committee also notes that a separate prison wing for juvenile offenders was opened in March 2000, to ensure that juveniles are separated from adults in detention. However, the Committee is deeply concerned at the possibility that a child may be sentenced to the death penalty. The Committee is also concerned at the low age of criminal responsibility (seven years), the absence of juvenile courts and juvenile judges, and the lack of social workers and teachers to work in this field.

465. **The Committee recommends that the State party take all appropriate measures to implement a juvenile justice system in conformity with the Convention, in particular articles 37, 39 and 40, and with other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System.**

466. **In addition, the Committee recommends that the State party:**

(a) Prohibit the use of the death penalty, life imprisonment and whipping;

(b) Raise the age of criminal responsibility;

(c) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges;

(d) Use deprivation of liberty (institutionalization) only as a measure of last resort and for the shortest possible period of time;

(e) Guarantee separation from adults in prison and in pre-trail detention places all over the country;

(f) Ensure that children remain in contact with their families while in the juvenile justice system;

(g) Abolish the use of corporal punishment within the juvenile justice system;

(h) Strengthen rehabilitation and reintegration programmes;

(i) Consider seeking technical assistance from, among others, OHCHR, the Centre for international Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice in Juvenile Justice.

9. Optional Protocols and amendment to article 43.2 of the Convention

467. The Committee notes that the State party has signed but not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution

and child pornography and on the involvement of children in armed conflict, and has not yet accepted the amendment to article 43.2 of the Convention for an expansion of the Committee from 10 to 18 members.

468. **The Committee encourages the State party to ratify the two Optional Protocols to the Convention on the Rights of the Child and urges the State party to accept the amendment to article 43.2 of the Convention.**

10. Dissemination of documents

469. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Paraguay

470. The Committee considered the second periodic report of Paraguay (CRC/C/65/Add.12), submitted on 12 October 1998, at its 741st meeting (see CRC/C/SR.741), held on 8 October 2001, and adopted, at its 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

471. The Committee welcomes the submission of the State party's second periodic report, which very precisely follows the guidelines for reporting, thus providing the Committee with a lot of information on the implementation of the Convention. However, the written replies to its list of issues (CRC/C/Q/PAR.2), received only on 5 October 2001, only partly addressed the Committee's questions. Furthermore, the delegation representing the State party was unfortunately not in a position to answer most of the questions put by the Committee. In particular, the Committee regrets that it was not possible to discuss in more detail the content of the new Children's Code. The Committee regretfully recalls that similar problems occurred during the examination of the initial report of the State party.

B. Positive aspects

472. The Committee welcomes the adoption of the Children's Code in line with its previous recommendation (CRC/C/15/Add.75, para. 29).

473. In light of its previous recommendation (CRC/C/15/Add.75, para. 41), the Committee notes with satisfaction the promulgation in 1997 of the Adoption Act to combat trafficking in children and establish strict control over all matters connected with adoption, especially intercountry adoption. It further takes note of the Law against Domestic Violence.

474. The Committee notes with satisfaction the establishment in 1997 of a Juvenile Complaints Department for the receipt of complaints of violations of children's rights, and in 1998 of a National Network against Child Abuse (REDNAMI), made up of governmental and non-governmental organizations.

C. Factors and difficulties impeding progress in the implementation of the Convention

475. The Committee notes with concern that the State party is facing many difficulties in the implementation of the Convention, in particular owing to political instability, low economic growth and an inadequate public service. The Committee acknowledges that the serious economic and social disparities, affecting in particular people living in rural areas and indigenous people, impede the full achievement and enjoyment of the rights recognized in the Convention.

D. Principal areas of concern and recommendation

1. General measures of implementation

Committee's previous recommendations

476. The Committee notes with great concern that most of its previous recommendations (CRC/C/15/Add.75) have not been satisfactorily followed up or not followed up at all.

477. **The Committee strongly recommends that the State party give effective follow-up to the Committee's previous recommendations, paying particular attention to those which are reiterated hereafter.**

Legislation

478. The Committee notes with concern that the recently adopted Children's Code may not enter into force at the end of November 2001, six months after its promulgation.

479. **The Committee recommends that the State party:**

(a) Ensure that the Children's Code enters into force without delay;

(b) Ensure the implementation of the Children's Code in full compliance with the Convention, paying particular attention to the elimination of the traditional concept of "irregular situation" and to the need for adequate structures by allocating the necessary human and financial resources.

Coordination

480. While noting that the new Children's Code foresees the establishment of a National Secretariat for Children and Adolescents, the Committee notes with concern that a process of reform of the structure of ministries and secretariats in Paraguay may delay the entry into force of the Code until July 2002, thereby preventing the allocation of funds in the 2002 budget for the

new structure. It further notes with concern that the National Plan of Action for Children (PNAI) has limited economic resources and is not disseminated at local level, and that its coordinating body, the PNAI Committee, does not have a budget allocation and has had a large turnover among its members.

481. **The Committee recommends that the State party:**

(a) Strengthen coordination between the various governmental bodies and mechanisms involved in children's rights at both the national and local levels, in line with its previous recommendation (CRC/C/15/Add.75, para. 30);

(b) Ensure the establishment of the National Secretariat for Children and Adolescents without delay;

(c) Provide adequate human and financial resources in the 2002 budget for the National Secretariat for Children and Adolescents in order to enable it to carry out its tasks in an effective way; and

(d) For the preparation of the next National Plan of Action take into account the obstacles met in implementing the previous National Plan of Action and the results of the mid-term evaluation and of the review made for the end-of-decade report.

Budgetary allocations

482. While noting the information that there has been an increase in public social spending, the Committee reiterates its concern that budgetary allocations for children are still insufficient to respond to national and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between rural and urban areas with respect to services provided to children (CRC/C/15/Add.75, para. 35).

483. **In light of article 4 of the Convention, the Committee encourages the State party:**

(a) To strengthen its efforts to reduce poverty and its impact on children;

(b) To identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated "to the maximum extent of ... available resources and, where needed, within the framework of international cooperation" for the full implementation of the economic, social and cultural rights of children, in particular with respect to local governments and for children belonging to the most vulnerable groups in society; and

(c) To identify the amount and proportion of the budget spent on children at the national and local levels in order to evaluate the impact and effect of the expenditures on children.

Monitoring

484. Although the 1992 Constitution foresees the creation of a *Defensor del Pueblo* (human rights ombudsman), the Committee notes with concern that no mechanism has been established yet to receive and address complaints, in particular in the field of children's rights.

485. **The Committee encourages the State party to establish an independent and effective mechanism in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:**

(a) Monitors the implementation of the Convention;

(b) Deals with complaints from children in a child-sensitive and expeditious manner; and

(c) Provides remedies for violations of their rights under the Convention.

In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

Data collection

486. The Committee, while noting the creation in 1995 of a database to monitor the National Plan of Action for Children (PNAI), expresses its concern that statistical data are not updated and do not cover sufficiently nor are disaggregated for all areas covered under the Convention, and that, when available, these data are not used in an adequate manner to assess trends and as a basis for policy-making in the field of children's rights.

487. **In line with its previous recommendation (CRC/C/15/Add.75, para. 32), the Committee recommends that the State party:**

(a) Further strengthen, expand and update its database; and

(b) Use these indicators and data effectively for the formulation and evaluation of policies and programmes for the implementation and monitoring of the Convention.

Dissemination and training

488. The Committee recognizes that material promoting human rights was disseminated by both governmental agencies and non-governmental organizations, in line with its previous recommendation (CRC/C/15/Add.75, para. 33), but notes that these measures need to be strengthened, in particular in rural areas and among indigenous children.

489. **The Committee recommends that the State party:**

(a) Increase its efforts to translate informative material into Guaraní and the main indigenous languages and disseminate it;

(b) Develop more creative methods for promoting the Convention, including through audio-visual aids such as picture books and posters, in particular at local level;

(c) Provide adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators and health personnel;

(d) Fully integrate the Convention into the curricula at all levels of the educational system; and

(e) Seek technical assistance from, among others, UNICEF, UNESCO and OHCHR.

Cooperation with NGOs

490. The Committee, while noting examples of collaboration between governmental institutions and non-governmental organizations, e.g. in the preparation of the Children's Code and of the State party's second periodic report, nevertheless notes that cooperation with non-governmental organizations should be further promoted and reinforced.

491. **The Committee reiterates its recommendation to the State party (CRC/C/15/Add.75, para. 31) to encourage the promotion of closer cooperation with non-governmental organizations, in particular in the area of implementation of the new Children's Code.**

2. Definition of the child

492. The Committee reiterates its concern about the disparity between the legal minimum age for admission to employment (12 years) and the age for the end of compulsory education (15 years).

493. **The Committee recommends that the State party increase the minimum age for admission to employment in order to prevent children from starting to work before the completion of compulsory education.**

3. General principles

494. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), right to life, and maximum possible survival and development of the child (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

495. **The Committee reiterates its previous recommendation (CRC/C/15/Add.75, para. 34) that the State party:**

(a) Appropriately integrate general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children;

(b) Apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children; and

(c) Apply these principles in planning and policy-making at every level, as well as in actions taken by social and health welfare institutions, courts of law and administrative authorities.

Non-discrimination

496. The Committee is concerned that the principle of non-discrimination is not fully implemented for children belonging to indigenous groups or those groups speaking only Guarani, urban and rural poor children, girls, street children, children with disabilities, and children living in rural areas, especially with regard to their access to adequate health and educational facilities. It further notes with concern that pregnant girls are often not allowed to continue their education, especially in private schools.

497. **The Committee recommends that the State party:**

(a) Take all the necessary measures to end discrimination;

(b) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination;

(c) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at ending all forms of discrimination; and

(d) Include specific information in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow-up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention on the aims of education.

4. Civil rights and freedoms

Birth registration

498. The Committee notes with concern that a large number of children, in particular those belonging to indigenous groups and/or living in rural or remote areas, are not registered because of distance or because parents are unaware of the importance of birth registration. It further notes that registration is not free.

499. **In light of article 7 of the Convention and in line with its previous recommendation (CRC/15/Add.75, para. 38), the Committee recommends that the State party:**

(a) Develop more widespread awareness among the population of the importance of birth registration; and

(b) Improve the registration system in order to reach all people, in particular in rural and remote areas, including by using mobile registration units.

Corporal punishment

500. The Committee is concerned that corporal punishment of children remains socially acceptable in Paraguay and that it is still practised in families, schools and other institutions.

501. **In light of articles 3, 19 and 28 (2) of the Convention, the Committee encourages the State party to:**

(a) Develop measures to raise awareness about the harmful effects of corporal punishment and encourage use of alternative forms of discipline in families to be administered in a manner consistent with the child's dignity and in conformity with the Convention; and

(b) Explicitly prohibit corporal punishment in the family, in schools and in other institutions.

5. Family environment and alternative care

Parental responsibilities

502. The Committee is concerned at the increase in the breakdown of families, in particular owing to migration to urban areas. It further notes that children, particularly in poor families, are not sufficiently stimulated, which can have a negative impact on their harmonious development.

503. **In light of article 18 of the Convention and in line with its previous recommendations (CRC/C/15/Add.75, paras. 39 and 43), the Committee recommends that the State party:**

(a) Improve social assistance to families to help them with their child-rearing responsibilities, including through counselling and community-based programmes, with a focus on early stimulation; and

(b) Seek international assistance from, among others, UNICEF.

Abuse and neglect

504. The Committee, while noting the establishment in 1998 of a National Network for Child Abuse (REDNAMI), is nevertheless concerned at its lack of human and financial resources. It is further concerned at the lack of data and information on child abuse and neglect, at the inadequacy of measures, mechanisms and resources to prevent and combat physical and sexual abuse and neglect of children, and at the limited number of services for abused children, in particular in rural areas.

505. **In light of article 19 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 40), the Committee recommends that the State party:**

(a) Undertake studies on domestic violence, ill-treatment and abuse, including sexual abuse, in order to assess the extent, scope and nature of these practices;

(b) Adopt and implement effectively adequate measures and policies, and contribute to changing attitudes, and in that regard provide the National Network for Child Abuse with adequate human and financial resources;

(c) Investigate effectively cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, within a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy;

(d) Take measures to provide support services to children in legal proceedings, and for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment and violence, in accordance with article 39 of the Convention; and

(e) Seek, in this regard, international cooperation and technical assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Health and health services

506. While noting the decrease in the infant and child mortality rates, the Committee is nevertheless concerned at the lack of reliable statistics and at the still high rates of mortality, morbidity and malnutrition affecting especially indigenous children and those who speak only

Guarani. It further notes the high maternal mortality rates, due largely to a high incidence of illegal abortion, especially in rural areas. It is also concerned about the unsatisfactory level of the immunization coverage.

507. **In light of article 24 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 45), the Committee recommends that the State party:**

(a) Allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary health care and decentralizing the health-care system;

(b) In order to prevent child mortality and morbidity and address the high maternal mortality rate, provide adequate antenatal and postnatal health-care services and develop campaigns to inform parents about basic child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation, family planning and reproductive health;

(c) Develop a comprehensive nutritional programme in order to prevent and combat malnutrition, in particular among indigenous children and those who speak only Guarani;

(d) Look to international cooperation for the full and efficient implementation of the immunization programme; and

(e) Seek technical assistance from, among others, WHO, UNICEF and UNFPA.

Children with disabilities

508. The Committee, while noting the National Action Plan for Disability, expresses its concern that lack of funding and mental and architectonic barriers prevent its full implementation. Further, it notes with concern that there are no programmes and services specific for children. The Committee is also concerned at the general lack of resources and specialized staff for these children, especially the ones with mental disabilities, in particular in rural areas.

509. **In light of article 23 of the Convention, the Committee recommends that the State party:**

(a) Undertake studies to determine the causes of and ways to prevent disabilities in children;

(b) Undertake measures to ensure that the situation of children with disabilities is monitored in order to assess their situation and needs effectively;

(c) Conduct public awareness campaigns in all languages, in particular indigenous ones, to raise awareness of the situation and the rights of children with disabilities;

(d) Allocate the necessary resources for programmes and facilities for all children with disabilities, especially the ones living in rural areas, and strengthen community-based programmes to enable them to stay at home with their families;

(e) Support the parents of children with disabilities with counselling and, when necessary, financial support;

(f) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (CRC/C/69, para. 310-339), further encourage their integration into the regular educational system and inclusion into society, including by providing special training to teachers and by making schools more accessible;

(g) Seek technical assistance from, among others, WHO.

Adolescent health

510. The Committee expresses its concern regarding the high rates of early pregnancy, the rise in the number of children and youths using drugs, and the growing number of cases of HIV/AIDS among the youth. Further, it notes the limited availability of programmes and services in the area of adolescent health, including mental health, and the lack of sufficient prevention and information programmes in schools, especially on reproductive health.

511. **In line with its previous recommendation (CRC/C/15/Add.75, para.45), the Committee recommends that the State party:**

(a) Undertake a comprehensive and multidisciplinary study to assess the scope and nature of adolescent health problems, including the negative impact of STDs and HIV/AIDS, and develop adequate policies and programmes;

(b) Increase its efforts to promote adolescent health, including mental health, policies, particularly with respect to reproductive health and substance abuse, and strengthen the programme of health education in schools;

(c) Undertake further measures, including the allocation of adequate human and financial resources, to evaluate the effectiveness of training programmes in health education, in particular as regards reproductive health, and to develop youth-sensitive and confidential counselling, care and rehabilitation facilities that are accessible without parental consent when this is in the best interests of the child; and

(d) Seek additional technical cooperation from, among others, UNFPA, UNICEF, WHO and UNAIDS.

7. Education, leisure and cultural activities

Education

512. While noting with appreciation the National Education Law of 1998 and the high rate of primary school enrolment, which is more than 95 per cent, the Committee is nevertheless concerned about the continuing poor quality of education, the non-tuition costs of compulsory school, the high repetition and drop-out rates, and the poor condition of infrastructures. It further notes with concern that pregnant girls are not allowed to stay in school.

513. **In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:**

(a) Undertake appropriate measures to increase budgetary allocations for education, in particular for the improvement of school infrastructure;

(b) Ensure regular attendance at schools and the reduction of drop-out rates;

(c) Take measures to prevent bullying and other forms of violence in schools;

(d) Improve the quality of education in order to achieve the goals mentioned in article 29 (1), in line with the Committee's general comment No. 1 on the aims of education; and

(e) Seek additional technical cooperation from, among others, UNESCO and UNICEF.

8. Special protection measures

Children in armed conflict

514. The Committee is deeply concerned that, although the State party's legislation states that the minimum age for recruitment into the armed forces is 18, minors constitute a considerable proportion of conscripts into the Paraguayan armed forces and national police, and very much regrets that its previous recommendation (CRC/C/15/Add. 75, para. 36) in this regard was not implemented. It is deeply worried at the number of cases of torture and ill-treatment of conscripts, including children, by their superiors and at cases of unclarified deaths of conscripts, which also involved minors. In particular, it notes with concern that the majority of these deaths and ill-treatment cases were not investigated, and that there are reports of forcible recruitment of children, especially in rural areas, and of falsification of documents proving their age.

515. **The Committee urges the State party:**

(a) To put an end to the practice of recruiting children into the Paraguayan armed forces and national police, in line with its previous recommendation (CRC/C/15/Add.75, para. 36), and punish those involved in forcible recruitment;

(b) To investigate all cases of ill-treatment and death of conscripts and suspend from duty the officials implicated in such accidents;

(c) To prosecute and punish those responsible for these violations;

(d) To provide compensation to the victims of human rights violations during military service or their families;

(e) To provide training on human rights, including children's rights, to army officials; and

(f) To ratify the Optional Protocol to the Convention on the involvement of children in armed conflict, setting 18 years as the minimum age for all military recruitment.

Economic exploitation

516. The Committee expresses its deep concern at the increasing number of children who are exploited economically, in particular those under 14 years of age. In particular, it notes cases of abuse of girls in domestic service and a large number of children working in the streets, often at night and in unhealthy conditions, especially in the capital, Asunción. It also notes that ILO Convention No. 138 concerning Minimum Age for Admission to Employment has not been ratified.

517. **In light of article 32 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 43), the Committee reiterates that the State party should:**

(a) Continue to enforce and strengthen its legislation protecting working children;

(b) Combat and eradicate as effectively as possible all forms of child labour, including by strengthening its cooperation with ILO/IPEC; and

(c) Ratify ILO Convention No. 138 concerning Minimum Age for Admission to Employment.

Sexual exploitation

518. The Committee expresses its deep concern that, with regard to the increasing phenomenon of commercial sexual exploitation of children, there are no data available, legislation is inadequate, cases involving sexually exploited children are often not investigated and prosecuted, victims are criminalized, and rehabilitation programmes are not available. It further notes that a national plan against commercial sexual exploitation of children has not been developed.

519. **In light of article 34 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 47), the Committee recommends that the State party:**

(a) Undertake a study on this issue in order to assess its scope and causes, enable effective monitoring of the problem and develop all necessary measures and programmes to prevent, combat and eliminate sexual exploitation and abuse of children;

(b) Develop and adopt a national plan against sexual and commercial exploitation of children, taking into account the Agenda for Action of the Stockholm World Congress against Commercial Sexual Exploitation of Children; and

(c) In this regard, seek international cooperation from, among others, UNICEF and WHO.

Juvenile justice

520. While noting that the new Children's Code establishes a specific criminal procedure for children aged from 14 to 18 and the creation of a Youth Division of the National Police, the Committee expresses its concern at the long periods of pre-trial detention, at the fact that it is not used as a last resort, and that children are not informed of their rights and are not provided with legal assistance. Deep concern is also expressed at reports of torture and ill-treatment of detained juveniles, especially in the recently destroyed Panchito López Juvenile Correctional Institute, and at the situation of detention centres for juveniles, which are overcrowded and in poor condition. The Committee further notes that the education, rehabilitation and reintegration programmes provided during the detention period are inadequate.

521. **In line with its previous recommendation (CRC/C/15/Add. 75, para. 48), the Committee recommends that the State party:**

(a) Continue reviewing laws and practices regarding the juvenile justice system in order to bring it as soon as possible into full compliance with the Convention, in particular articles 37, 40 and 39, as well as with other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines);

(b) Expedite the full enforcement of the Children's Code of 2001 which guarantees due process of law for children and social and educational correctional measures;

(c) Use pre-trial detention only as a measure of last resort, for as short a time as possible and for no longer than the period prescribed by law;

(d) Use alternative measures to pre-trial detention and other forms of deprivation of liberty whenever possible;

(e) Incorporate into its legislation and practices the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, in particular to guarantee them access to effective complaints procedures covering all aspects of their treatment;

(f) Ensure that those officers implicated in acts of torture and ill-treatment against inmates are suspended from duty pending a full and impartial investigation and, if found responsible, brought to justice;

(g) Provide training on human rights, including children's rights, to staff in detention centres;

(h) Take effective steps to improve conditions in detention centres and provide adequate education to children deprived of their liberty;

(i) Take appropriate rehabilitative measures to promote the social reintegration of the children involved in the juvenile justice system;

(j) Seek assistance from, inter alia, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

522. **The Committee encourages the State party:**

(a) To ratify and implement the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict;

(b) To accept the amendment to article 43 of the Convention as soon as possible.

10. Dissemination of documents

523. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the second periodic report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Uzbekistan

524. At its 743rd and 744th meetings (see CRC/C/SR.743-744), held on 9 October 2001, the Committee on the Rights of the Child considered the initial report of Uzbekistan (CRC/C/41/Add.8), which was received on 27 December 1999, and adopted at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

525. The Committee notes that the State party's initial report was prepared according to the Committee's guidelines for reporting. However, it regrets that the report is essentially legalistic and does not provide a self-critical evaluation of the prevailing situation with regard to the exercise of children's rights in the country. It notes the timely submission of the detailed written answers to the list of issues. The Committee notes with appreciation the informative dialogue with the delegation.

B. Positive aspects

526. The Committee notes that the State party has ratified the six major international human rights instruments.

527. The Committee appreciates the fact that the State party has sought cooperation and assistance in the area of human rights from United Nations agencies and other international and regional organizations.

528. The Committee welcomes the call in President Karimov's address to the Parliament on 29 August 2001, for judicial and legal reform, including in the area of the administration of juvenile justice.

529. The Committee welcomes the establishment of new institutions, including the Family, Mother and Child Welfare Secretariat and the Committee for Youth Affairs. It further welcomes the adoption of new programmes such as the State programme to promote a healthy younger generation and to enhance the work of the minors' affairs commissions.

C. Factors and difficulties impeding the implementation of the Convention

530. The Committee notes that the State party continues to face serious economic, social and political challenges following independence, which are having a severe impact, especially on the most vulnerable groups in society. Furthermore, the ecological collapse of the Aral Sea has left about 500,000 people in a precarious state of food security and limited access to safe drinking water.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

531. While noting various legislative measures already taken or proposed with respect to child rights (for example, the 1998 Family Code, the 1996 Code of Administrative Liability, the 1996 Civil Code, the 1994 Criminal Code and the 1995 Labour Code), the Committee is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

532. **The Committee recommends that the State party:**

(a) Consider children's rights, as granted by the Convention, as a priority;

(b) Undertake a comprehensive review of existing legislation, from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention;

(c) Consider adopting a comprehensive children's code incorporating the principles and provisions of the Convention.

Coordination

533. Despite the existence of several governmental committees which deal with children's issues (for example, the Women's Affairs Committee and the Minority Affairs Committee), there remains a lack of administrative coordination and cooperation at the national and local government levels.

534. **The Committee recommends that the State party:**

(a) Pursue the preparation, development and implementation of a comprehensive rights-based national plan of action for the implementation of the Convention, through an open, consultative and participatory process;

(b) Establish or appoint a single body to be responsible for ensuring intersectoral coordination and cooperation (at and between national and local levels of government) in the implementation of the Convention; and

(c) Provide adequate support to local authorities for the implementation of the Convention.

Cooperation with civil society

535. While noting the good government cooperation in the development and welfare sectors with national associations, bilateral aid agencies, international organizations and NGOs, the Committee is concerned that insufficient efforts have been made to involve civil society, particularly in the area of civil rights and freedoms, in the implementation of the Convention.

536. **The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, ill-treatment and juvenile justice. The Committee recommends that the State party:**

(a) Consider involving civil society, especially children's associations, systematically throughout all stages of the implementation of the Convention, in particular with respect to civil rights and freedoms;

(b) Ensure that the 1999 Law on Non-Governmental Non-Commercial Organizations conforms to article 15 of the Convention and to other international standards on freedom of association, as a step towards facilitating and strengthening their participation.

Data collection

537. The Committee is concerned that disaggregated data on persons under 18 years relating to the rights contained in the Convention are not systematically collected and used effectively to assess progress and design policies to implement the Convention.

538. **The Committee recommends that the State party:**

(a) Establish a mechanism to collect and analyse systematically disaggregated data on all persons under 18 years for all areas covered by the Convention, including those in the most vulnerable groups (for example, refugee and asylum-seeking children, children of different ethnicity, children living in remote areas, children with disabilities and children of economically disadvantaged households);

(b) Seek technical assistance from, among others, UNICEF.

Monitoring structures

539. The Committee notes the establishment of the Ombudsman by the 1997 Law on the Authorized Person of the Oliy Majlis for Human Rights. However, it is concerned that:

The mandate of the Authorized Person does not provide for regular monitoring and evaluation of progress in the implementation of the Convention;

The Law of 1997, which empowers the Authorized Person to receive and address complaints, does not provide for an effective mechanism to address complaints relating to violations of rights guaranteed under the Convention, particularly complaints from children.

540. **The Committee recommends that the State party:**

(a) Ensure the independence of the institution of the Authorized Person is secured, as also recommended by the Human Rights Committee (see CCPR/CO/71/UZB);

(b) Strengthen its support for the Authorized Person, including through the provision of adequate human and financial resources, so as to comply with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), and so as to include monitoring and evaluating progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively;

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Resource allocation

541. The Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

542. **The Committee recommends that the State party:**

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights, and disseminate information in this regard;

(b) Ensure the allocation and distribution - to the maximum extent possible - of resources at the national and local levels, where needed within the framework of international cooperation;

(c) Consider obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children, particularly children belonging to the most vulnerable groups, are well observed.

Training/dissemination of the Convention

543. The Committee notes various efforts undertaken with international and regional organizations in the area of human rights training. However, it is concerned that the level of awareness of the Convention amongst professionals working with and for children, and the

general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

544. **The Committee recommends that the State party:**

(a) Develop an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children (for example, judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel);

(c) Continue cooperation with regional and international organizations in this regard, ensuring that the Convention is included in the subject matter;

(d) Continue to seek assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

545. Noting that a person reaches the age of majority at 18 years under the 1996 Civil Code, the Committee is concerned about:

Inconsistencies with other legislation and government decisions (for example, Cabinet Ministers Decision No. 319 of 24 June 1994 in relation to disability assistance paid to disabled children up to 16 years);

Differences in the minimum age for marriage of males and females under the 1998 Family Code;

The inadequate enforcement of minimum-age standards (i.e. with respect to early marriage, purchase of alcohol, etc.).

546. **The Committee recommends that the State party review its legislation so that the definition of the child and minimum-age requirements conform to the principles and provisions of the Convention, are gender neutral, are explicit and are effectively enforced by law.**

3. General principles

547. The Committee notes the important role of the Makhallas at the local level in all matters of family law and protection of children, including juvenile justice. However, the Committee is concerned at the lack of information on their role in the implementation of the general principles of the Convention.

548. **The Committee recommends that the State party:**

(a) Educate Makhalla committees on the principles and provisions of the Convention, and ensure that those principles and provisions are reflected in the decision-making procedures of these committees; and

(b) Include in its next periodic report information on the rules and regulations governing the activities of these committees, not only in areas relating to family law and juvenile justice, but in the distribution of financial assistance, as well.

The right to non-discrimination

549. The Committee is concerned at the prevailing disparities in the enjoyment of rights of children in Uzbekistan. In particular, the Committee is concerned:

At the situation of children belonging to the most vulnerable groups (for example, refugee, asylum-seeking and internally displaced children, children belonging to minorities, disabled children and those living in institutions, and in regions of the country lagging behind in socio-economic development);

That the guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by social security laws which effectively deprive non-citizens of rights to social security benefits and impose fees which may inhibit access to health and education services.

550. **The Committee recommends that the State party:**

(a) Ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

551. The Committee is concerned that in practice the system of residence registration in Uzbekistan may restrict the rights of children belonging to vulnerable groups (for example, refugees, non-citizens, migrants and persons internally displaced owing to conflict or economic or environmental factors) to access to health care and other social services. In particular, the Committee is concerned that because these rules are issued in various forms (decrees, regulations, instructions, etc.), they may not be sufficiently clear and may be open to abuse by officials reluctant to see migrants settle in their jurisdiction.

552. **The Committee recommends that the State party:**

(a) Ensure that the registration system is clear and precise and does not pose a barrier to access to services, particularly for the most vulnerable groups;

(b) Consider the experience of States that have replaced the propiska system with systems which comply to international standards in the area of freedom of movement.

553. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee is concerned that de facto discrimination on the grounds of gender exists in Uzbekistan and expresses its concern at the persistence of stereotypical attitudes relating to the roles and responsibilities of women and men.

554. **The Committee encourages the State party to launch comprehensive public education campaigns to prevent and combat gender discrimination, particularly within the family.**

555. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow-up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of general comment No. 1 on article 29.1 of the Convention on the aims of education.**

Respect for the views of the child

556. The Committee is concerned that traditional attitudes towards children in society at large may limit the exercise of the rights contained in article 12 of the Convention, especially within the family.

557. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate, within the family, institutions, schools, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for teachers, social workers and local officials to support children expressing their informed views and opinions, and to have them taken into consideration;

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Religion

558. The Committee emphasizes that the human rights of children cannot be realized independently from the human rights of their parents, or in isolation from society at large. The Committee notes the 1998 Law on Freedom of Conscience and Religious Organizations, and recent amendments to the Civil and Criminal Codes relating to the freedom of religion. In the light of article 14 of the Convention, the Committee is concerned that restrictions on the freedom to manifest one's religion, particularly Islam, do not comply with the requirements outlined in article 14, paragraph 3.

559. **The Committee recommends that the State party take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.**

Access to information

560. In the light of article 13 (the child's right to seek, receive and impart information) and article 17 of the Convention (the right of access to information, including information and material from a diversity of cultural, national and international sources), the Committee is concerned that stringent registration and licensing requirements for the media and publications, as well as restrictions on Internet access, do not comply with article 13, paragraph 2, of the Convention.

561. **The Committee recommends that the State party take all effective measures, including enacting or rescinding legislation where necessary, to ensure that the child's freedom of expression and the right of access to information are guaranteed and implemented.**

Torture and inhuman or degrading treatment or punishment

562. The Committee is deeply concerned by numerous and continuing reports of ill-treatment of persons under 18 by the militia, including psychological intimidation, corporal punishment, including for purposes of extorting confessions. The Committee deplores the insufficient efforts to investigate allegations of torture, as well as the failure to prosecute alleged perpetrators.

563. **In the light of article 37 of the Convention, and recalling the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly in its resolution 34/169 of 17 December 1979, the Committee urges the State party to:**

(a) Take all necessary effective steps to prevent incidents of ill-treatment from occurring;

(b) Implement the recommendations made by the Human Rights Committee (CCPR/CO/71/UZB), and the Committee against Torture (A/55/44, paras. 76-81);

(c) Provide the militia with training on how to deal with persons under 18;

(d) Ensure children are adequately informed of their rights when they are arrested and detained;

(e) Ensure that complaints procedures are simplified so that responses are appropriate, timely and child-sensitive, and provide rehabilitative support for victims.

5. Family environment and alternative care

Children deprived of a family environment

564. The Committee expresses its concerns that:

A high number of children, especially children with disabilities, are abandoned, or are otherwise deprived of a family environment;

Foster care, or other forms of family-based alternative care, is not sufficiently developed and available, with the result that children are placed in institutions;

Institutions (for example, "infants' homes"), because of lack of resources, provide children with very low quality housing and care;

The location and features of institutions do not facilitate family contact;

Effective mechanisms for children to communicate concerns and complaints about their placement are lacking;

There is no follow-up of children who have left institutional care.

565. **The Committee recommends that the State party:**

(a) Take effective measures, including the development of strategies and awareness-raising activities, to reduce and prevent the abandonment of children;

(b) Promote the family as the best environment for the child, through counselling and community-based programmes to assist parents to keep children at home;

(c) Take effective measures to increase and strengthen foster care, family-type foster homes and other family-based alternative care;

(d) Place children in institutions only as a last resort;

(e) Take all necessary measures to improve conditions in institutions;

(f) Ensure that children living there enjoy all the rights laid down in the Convention, including the right to maintain personal relationships and direct contact with their parents and families on a regular basis;

(g) Provide support and training for personnel in institutions, including social workers;

(h) Establish effective mechanisms to receive and address complaints from children in care, to monitor standards of care and to establish regular periodic review of placement;

(i) Provide adequate follow-up and reintegration services for children who leave institutional care.

566. The Committee is concerned about:

The lack of national standards, particularly in relation to foster and adoptive family screening;

The lack of mechanisms to review, monitor and follow up adoptions, and collect statistics on foster care and adoption, including intercountry adoption;

The practice of secret adoption.

567. **The Committee recommends that the State party:**

(a) Establish a comprehensive national policy and guidelines governing foster care and adoption;

(b) Establish a central monitoring mechanism in this regard;

(c) Ensure that adopted children who have reached the age of majority have the right of access to the identity of their biological parents;

(d) Accede to the 1993 Hague Convention on the Protection of Children and Co-operation in respect of Intercountry Adoption.

Violence/abuse/neglect/maltreatment

568. The Committee is concerned that there is insufficient information and awareness of the ill-treatment and abuse of children within the family, in schools and in institutions.

569. **The Committee recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address them;

(b) Take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family, in schools and in institutions, taking into account the WHO "European strategies and recommendations for child protection";

(c) Carry out public education campaigns on the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective mechanisms and procedures to receive, monitor and investigate complaints, including intervention where necessary;

(e) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not further victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law-enforcement officials, care workers, judges and health professionals in the identification, reporting and management of cases of ill-treatment;

(h) Seek assistance from, among others, UNICEF and WHO.

Domestic violence

570. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee expresses concern about the prevalence of violence against women, particularly domestic violence, and that this has harmful consequences on children.

571. **The Committee recommends that the State party:**

(a) Take effective measures to implement the Committee on the Elimination of Discrimination against Women's general recommendation 19 on violence against women;

(b) Give attention to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance;

(c) Undertake training on gender issues for all public officials, in particular law-enforcement officials and the judiciary, local government and mahallyas officials.

6. Basic health and welfare

572. While noting efforts to strengthen the primary health sector, the Committee is nevertheless concerned at the deterioration in the health of the most vulnerable groups, especially women and children, and in particular at:

The high infant mortality rates;

The high under-five mortality rates;

The high maternal mortality rates;

The high incidence of infectious diseases, such as tuberculosis, despite high rates of immunization;

The fact that accidents and injuries are a main cause of mortality and morbidity among children and that children in rural and disadvantaged regions, such as Karakalpakstan and Khorezm, suffer the most.

573. **The Committee recommends that the State party:**

(a) Ensure that its commitment to primary health care is met by adequate allocation of human and financial resources, and that all children, especially from the most vulnerable groups, have access to health care;

(b) Continue and strengthen implementation of the WHO Promoting Effective Perinatal Care strategy, to address high maternal, infant and child mortality;

(c) Ensure full implementation of the Integrated Management of Childhood Illnesses strategy;

(d) Implement WHO recommendations and guidelines, such as "Essential newborn care and breastfeeding", "First action plan for food and nutrition", and "Feeding and nutrition of infants and young children", to address nutritional deficiencies;

(e) Implement the 2000 Amsterdam Declaration to Stop TB and the Strategy to Roll Back Malaria in the European Region;

(f) Implement the recommendations of the WHO report, "Childhood injuries - a priority area for the transition countries of Central and Eastern Europe and the newly independent States";

(g) Continue to cooperate with and seek assistance from, among others, UNICEF and WHO.

574. With regard to adolescent health, the Committee is concerned at the increasing number of teenage pregnancies and the consequent number of abortions among girls under 18. The Committee notes that various factors, including cultural attitudes and lack of personal knowledge and communication skills on the part of parents may be barriers to obtaining accurate reproductive health information and counselling. The Committee is also concerned at the rise in rates of STDs, particularly syphilis, gonorrhoea and HIV/AIDS. It is also concerned with rising substance abuse and tobacco use among adolescents.

575. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this as a basis to formulate adolescent health policies and programmes;

(b) Ensure adolescents have access to and are provided with education on reproductive health and other adolescent health issues, including mental health, as well as with child-sensitive and confidential counselling services;

(c) Consider participating in the European Network of Health Promoting Schools;

(d) Seek assistance from, among others, UNICEF and WHO.

576. In the light of article 24 of the Convention, the Committee expresses its concern at problems of poor access to safe water and food security, exposure to toxic chemicals, and other hazards arising from the Aral Sea disaster, which negatively impact upon the health of children in the Karalpakstan region.

577. **In the light of article 24 (c) of the Convention, the Committee recommends that the State party take all appropriate measures, including seeking international cooperation, to prevent and combat the damaging effects of environmental degradation on children, including pollution and contamination of water supplies.**

Children with disabilities

578. The Committee notes the 1991 Law on Social Protection of the Disabled and the draft programme of medical and social rehabilitation of the disabled (2001-2005). However, it is concerned at the prevailing poor situation of children with disabilities. In particular, it is concerned at:

The practice of institutionalizing children with disabilities;

That education is predominantly segregated;

That access to special services such as rehabilitation is limited and severely strained;

There is insufficient support for families;

Information from the delegation that pregnancies are commonly terminated when foetuses show signs of disability upon screening.

579. **The Committee recommends that the State party:**

(a) Review existing policies and practice in relation to children with disabilities, taking due account of the Standard Rules on the Equalization of Opportunities for Persons

with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its Day of general discussion on children with disabilities (CRC/C/69, para. 338);

(b) Promote alternative measures to prevent disability;

(c) Provide early childhood care and special education for children with disabilities;

(d) Make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes and reunification of children with their parents;

(e) Undertake awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities;

(f) Give attention to combating negative societal attitudes towards disabled children;

(g) Give adequate support, supervision and training to persons working with these children;

(h) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

580. The Committee is concerned at:

The low level of pre-school enrolment;

Declining enrolment and high drop-out, repetition and absenteeism rates in primary and secondary schools;

Disparities according to gender and region;

Deterioration in infrastructure;

Deterioration in the quality of education, especially of teaching and the curricula.

581. **The Committee recommends that the State party, taking due account of the Committee's general comment No. 1 on the aims of education:**

(a) Undertake greater efforts to allocate the required human and financial resources to, <u>inter alia</u>, improve infrastructure, expand the provision of learning materials and supplies and improve teachers' salaries;

(b) Revise the school curricula to reflect a child-centred, active-learning approach;

(c) Promote the importance of early childhood care and development programmes, especially among low-income households, and stimulate informal community pre-school schemes in this regard;

(d) Promote the participation of parents and communities, especially ethnic minorities, in school governance, to improve enrolment rates and monitor the quality of education;

(e) Introduce human rights, including the Convention, into the school curricula, including at the primary school level;

(f) Seek assistance from, among others, UNICEF and UNESCO.

8. Special measures of protection

Refugees and displaced persons

582. In accordance with article 23 of the Constitution, which guarantees non-citizens and stateless persons rights and freedoms in accordance with international law, the Committee welcomes the inclusion of a chapter on refugees in the draft law on migration. However, the Committee is concerned that there is no existing legal framework for the protection of refugees.

583. **The Committee recommends that the State party:**

(a) Ensure that the draft law conforms to article 22 of the Convention and other international standards on the protection of and assistance for refugee children, expedite its promulgation and ensure its effective implementation;

(b) Consider acceding to the 1951 Convention Relating to the Status of Refugees, its 1967 Protocol, and the 1954 and 1961 Conventions on statelessness;

(c) Continue and strengthen its cooperation with UNHCR.

Armed conflict

584. The Committee expresses its concern at the negative impact on children of reported military operations in the country (for example, in the Surkhandarya region, which involved the relocation of villagers, and the mining of Uzbek-Tajik border areas).

585. **In the light of article 38 and other relevant articles of the Convention, the Committee recommends that the State party:**

(a) At all times ensure respect for human rights and humanitarian law aimed at the protection and care of children affected by armed conflict;

(b) Provide physical rehabilitation and psychological recovery measures for these children.

Street children

586. The Committee notes that the negative effects of the current economic crisis and consequent deterioration in the family environment have resulted in an increasing number of street children in Tashkent and other cities.

587. **The Committee recommends that the State party:**

(a) Take effective measures to ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training in order to support their full development;

(b) Ensure that street children are provided with recovery and reintegrative services for physical, sexual and substance abuse, and services for reconciliation with their families;

(c) Undertake a study on the causes and scope of the phenomenon and establish a comprehensive strategy in cooperation with civil society with the aim of preventing and reducing this phenomenon;

(d) Seek assistance from, among others, UNICEF.

Economic exploitation

588. The Committee is concerned at the insufficient information on children who work, including in the informal sector, such as in agriculture. It is also concerned that children involved in cotton harvesting may be at risk of exposure to hazardous work conditions.

589. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes and extent of child labour;

(b) Establish a minimum age for admission to employment, in accordance with the principles and provisions of the Convention, that is, in conformity with the age for completion of education, and ensure that it is enforced. Employers should be required to have, and to produce on demand, proof of the age of all children working on their premises;

(c) Establish a mechanism to monitor the implementation of standards which is empowered to receive and address complaints of violations;

(d) Carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards;

(e) Consider ratification of ILO Conventions No. 138 on the minimum age for admission to employment, and No. 182 on the worst forms of child labour;

(f) Seek assistance from ILO.

Sexual exploitation

590. The Committee is concerned at the insufficient data and awareness concerning the phenomenon of sexual exploitation of children in Uzbekistan.

591. **The Committee recommends that the State party:**

(a) Undertake a national study on the nature and extent of sexual exploitation of children (i.e. sale of children, child prostitution and child pornography) and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress in this area;

(b) Review its legislation and ensure that it criminalizes the sexual exploitation of children, is gender neutral and penalizes all offenders involved, whether local or foreign, while ensuring that the child victims are not penalized;

(c) Ensure that legal procedures are simplified so that responses are appropriate, timely and sensitive to victims;

(d) Establish recovery and social reintegration programmes for child victims;

(e) Train personnel working with child victims;

(f) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation.

Administration of juvenile justice

592. The Committee is concerned about insufficient information in the area of juvenile justice, and it is particularly concerned about:

Children arrested and held in custody without being able to exercise their right to a lawyer;

Children subjected to ill-treatment and unlawful investigative methods;

The length of pre-trial detention;

Conditions in detention centres and penal colonies in Uzbekistan;

Treatment in special schools for juveniles (for example, the Special School for Girls No. 4, Kokand).

593. **The Committee recommends that the State party:**

(a) Establish a minimum age of criminal responsibility in accordance with the principles and provisions of the Convention;

(b) Ensure that the criminal justice system fully integrates into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(c) Ensure that children are not arbitrarily arrested, that deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by the court and that persons under 18 are not detained with adults;

(d) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(e) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(f) Train professionals in the area of rehabilitation and social reintegration of children;

(g) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

594. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documents

595. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document**

should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

Cape Verde

596. The Committee considered the initial report of Cape Verde (CRC/C/11/Add.23) at its 445th to 446th meetings (see CRC/C/SR.445-446), held on 10 October 2001, and adopted, at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

597. The Committee welcomes the submission of the State party's initial report and the promptly submitted written replies to its list of issues (CRC/C/Q/CAP/1). The Committee notes the very constructive dialogue it held with the State party's high-ranking delegation, directly implicated in the Convention's implementation, and the delegation's positive reaction to the Committee's various suggestions.

B. Positive factors

598. The Committee welcomes the many improvements in respect for children's rights and the situation of children within the State party over the last two decades. The Committee notes the marked improvement of health indicators including, in particular, the sharp drop in the mortality rate of children under five and the major increase in school enrolment.

599. The Committee notes the very positive aims of education within the State party's national education curriculum and the establishment of a teacher training institute.

600. The Committee notes the State party's adoption of the Constitution in 1992 which makes reference to children's rights, the adoption of a Minors Code, amendments to the Civil Code and Family Code, the adoption of a national declaration on social policy with regard to children and adolescents and the award of a UNICEF children's rights prize to the Institute for Minors in Cape Verde.

C. Factors and difficulties impeding the implementation of the Convention

601. The Committee notes the difficult economic conditions within the State party and the situation of poverty confronted by a large proportion of the population.

602. The Committee notes the State party's geographic spread over several islands which, combined with other difficulties, poses problems in the provision of services. The Committee notes, in addition, the absence of natural resources, the limited availability of clean drinking water, regular periods of drought and a process of desertification.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

603. Noting the recent efforts to amend the Minors Code and the Family Code, the Committee remains concerned that further strengthening of legislation is required. The Committee is also concerned that the Convention is not applied directly by the courts and administrative structures in the State party and that, given the incompatibility of some elements of domestic legislation, this may lead to practices that are not in accordance with the Convention.

604. **The Committee recommends that the State party:**

(a) Amend outdated legislation and adopt new legislation, including the new Penal Code, in accordance with the provisions of the Convention;

(b) Encourage domestic judicial and administrative mechanisms to apply the Convention directly in domestic proceedings.

Implementation and coordination

605. The Committee is concerned that implementation of the Convention is hindered by insufficient coordination between ministries and other mechanisms responsible for implementation, including between public and private institutions.

606. **The Committee:**

(a) Recommends that the State party strengthen implementation of the Convention and establish a mechanism with a suitable mandate and adequate resources to coordinate policy and programmes in this regard;

(b) Noting that the Instituto Cabo Verdiano dos Menores (ICM) functions effectively on two islands, the Committee recommends that the State party consider extending its work to the rest of the country, providing it with additional financial and human resources and reinforcing its status;

(c) Recommends that the State party make greater efforts to coordinate the work of public and private institutions.

National Plan of Action

607. Noting the State party's National Plan of Action for childhood and adolescence, the Committee remains concerned that the Plan has not been implemented.

608. **The Committee strongly recommends that the State party update and implement its Plan of Action for childhood and adolescence at national and local levels and in accordance with the Convention's principles and provisions.**

Data

609. The Committee is concerned at the lack of the systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

610. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, and urban and rural area. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect, or ill-treatment; children with disabilities; street children; child victims of sexual exploitation; children in conflict with the law; and children living in isolated areas;

(b) Use these indicators and data for the formulation, implementation and evaluation of policies and programmes for strengthening respect of the Convention.

Monitoring

611. While noting the recent establishment of the National Commission on Human Rights and its sub-commissions, the Committee is concerned at the absence of an effective and independent mechanism for monitoring the Convention's implementation.

612. **The Committee recommends that the State party:**

(a) Consider the establishment of an independent national human rights institution in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134) to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;

(b) Consider the development of a focal point on children's rights within the National Commission on Human Rights.

Allocation of adequate resources

613. While noting the State party's provision of significant proportions of its budgetary resources to sectors of benefit to children, the Committee remains concerned that the lack of adequate data makes it difficult to assesses accurately the investment made directly for the

Convention's implementation. The Committee is concerned, in addition, that additional resources are urgently required for securing respect for the economic, social and cultural rights of children.

614. **The Committee recommends that the State party:**

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights and disseminate information in this regard;

(b) Ensure the allocation and distribution, to the maximum extent possible, of available resources at the national and local levels and, where needed, within the framework of international cooperation;

(c) Consider its obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children are respected.

Cooperation with civil society

615. The Committee is concerned that civil society, including NGOs, was not sufficiently involved in the process of drafting the State party's report and has been insufficiently implicated in implementation of the Convention.

616. **The Committee recommends that the State party make greater efforts to:**

(a) Reinforce cooperation with NGOs working in all domains of relevance to the Convention's implementation;

(b) Support the work of NGOs in the area of children's rights.

Dissemination of the Convention

617. While noting the State party's efforts to promote the Convention, including in schools, the Committee remains concerned that there is insufficient awareness of the Convention among children, professionals working with children, parents and the public in general.

618. **The Committee recommends that the State party:**

(a) Strengthen its efforts to disseminate the principles and provisions of the Convention, as a measure to sensitize society on children's rights;

(b) Involve local communities in its programmes in order to combat customs and traditions that impede the implementation of the Convention and adopt creative measures of communication for involving persons who are illiterate;

(c) Undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular

parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(d) Ensure the provision of human rights education, including on the rights of the child, in all schools;

(e) Seek technical assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

619. The Committee is concerned that the number of years of compulsory education under existing provisions is insufficient.

620. **The Committee recommends that the State party:**

(a) Increase the number of years of compulsory education, including by extending the minimum age for leaving education;

(b) Take steps to close gaps between the minimum age for work and the end of compulsory education, so as to ensure that children do not end their education prematurely to begin work;

(c) Seek technical assistance from UNESCO and ILO, as appropriate, in this regard.

3. General principles

621. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), survival and development (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

622. **The Committee recommends that the State party appropriately integrate general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

Discrimination

623. The Committee is concerned that the Constitution does not include provisions prohibiting discrimination against children with disabilities and that discrimination against women, which may have an impact on their children, remains commonplace in practice.

624. **The Committee recommends that the State party:**

(a) Ensure that the Constitution and other relevant legislation prohibit discrimination on all grounds covered by the Convention's article 2 including, in particular, discrimination on the basis of disability;

(b) Strengthen its efforts to end discrimination against women through, inter alia, the use of information campaigns and programmes promoting the advancement of women.

625. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention on the aims of education.

Child participation

626. While noting the State party's efforts in this regard, including both the establishment of a children's parliament and the State party's efforts in 1998 to raise awareness of children's right to participate, the Committee remains concerned that this right is not adequately respected in the context of, inter alia, the family, schools and policy-making.

627. **In light of article 12, the Committee recommends that the State party strengthen its efforts to ensure respect for children's right to participate through, inter alia:**

(a) The use of promotion campaigns targeting parents, teachers and children;

(b) Continuing support to the children's parliament and ensuring that conclusions and recommendations made by this parliament are taken into consideration in the State party's decision-making process.

4. Civil rights and freedoms

Birth registration and the right to identity

628. While welcoming the significant progress made by the State party in increasing rates of birth registration, the Committee remains concerned that a large proportion of children are still not registered at birth.

629. **The Committee recommends that the State party:**

(a) Continue and strengthen its ongoing efforts to raise birth registration levels including through facilitating the birth registration process, raising awareness among parents, increasing resources available to registering authorities and establishing birth registration facilities in hospitals with maternity clinics;

(b) Give particular attention to isolated communities, including those on less populated islands.

Corporal punishment

630. The Committee is concerned that corporal punishment is widely practised in the home and in schools, and by the police forces against vulnerable groups such as street children.

631. **The Committee recommends that the State party:**

(a) Take steps to end the practice of corporal punishment in schools and in the home;

(b) Conduct, inter alia, awareness-raising and education campaigns to change public attitudes;

(c) Provide training and information on alternative forms of non-violent discipline and ensure that these are administered in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28 (2).

5. Family environment and alternative care

Family structure

632. The Committee is concerned that the family structure, and particularly the care and protection it provides to children in the State party, is weakened by a combination of a lack of resources, poor housing conditions, a lack of free day care for single-parent-headed families, an insufficient social security and welfare system and the union libre fixe practice of parental relationships.

633. **The Committee recommends that the State party:**

(a) Give careful consideration to ways of providing improved protection and care of children and their rights in the context of the family, and that subsequent action be taken urgently towards strengthening children's family life;

(b) Consider the provision of assistance to families through, inter alia, a national plan for families and additional assistance to single-parent families, including with regard to securing child maintenance payments from the parent who is not caring for the child;

(c) Study the impact of the union libre fixe relationship structure on children and develop specific programmes to address problems identified;

(d) Seek assistance from UNICEF in this regard.

Abuse, mistreatment and domestic violence

634. The Committee is concerned at incidents of abuse, including sexual abuse and incest, and the mistreatment of children in the family. The Committee is concerned, in addition, at the incidence of domestic violence, which has a negative impact on children.

635. **The Committee recommends that the State party make every effort:**

(a) To monitor and record incidents of abuse, including sexual abuse and incest, mistreatment of children and domestic violence, including violence against women in the family, making particular efforts to improve data collection on these concerns;

(b) Effectively investigate cases of domestic violence and violence in schools, through a child-sensitive judicial procedure, and apply sanctions to perpetrators with due regard given to guaranteeing the right to privacy of the child;

(c) Proceed with a study of violence against women and address this concern through, inter alia, the promotion of women's human rights, the strengthened implementation of relevant provisions in the Constitution and other legal instruments, and by ensuring that women have access to suitable complaint mechanisms;

(d) Ensure that cultural taboos discouraging complaints of violence are broken down;

(e) Give appropriate weight to children's views in legal proceedings; provide support services to child witnesses in legal proceedings and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;

(f) Seek technical assistance from, among others, UNICEF.

Alternative care

636. Noting the State party's efforts, including a study on the traditional system of foster care for orphans (see, inter alia, paragraph 119 of the State party's report), the Committee remains concerned that the foster care system requires strengthening.

637. **The Committee recommends that the State party take action to improve the foster care system, including consideration of recommendations made by the study and in respect of the Convention's provisions.**

Adoption

638. Noting in particular the State party's very large emigrant population, the Committee is concerned at potential violations of children's rights in the context of intercountry adoption.

639. **The Committee recommends that the State party adopt and implement the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.**

6. Basic health and welfare

640. While noting the significant progress made, the Committee remains concerned at health problems among children such as the deaths of infants and children caused by diarrhoeal diseases, respiratory infections and malnutrition. The Committee is concerned, in particular, by the limited access to health services of children living in rural communities, and particularly on more remote islands, and the threat of HIV/AIDS.

641. **The Committee recommends that the State party:**

(a) Pursue and strengthen its efforts to improve access to health care, including primary health care, giving particular attention to major causes of infant and child mortality and to major illnesses and diseases;

(b) Give particular attention to children living in rural areas and on remote islands and to the prevention of the spread of HIV/AIDS.

Adequate standard of living

642. While noting the State party's efforts in this regard, the Committee remains concerned at the large proportion of children and their families living in poverty. The Committee is concerned, in particular, by weaknesses in the social security system, poor housing conditions, the lack of adequate sanitary facilities and the lack of easy access for many families and children to clean drinking water.

643. **The Committee urges the State party:**

(a) To ensure that its anti-poverty programme takes into consideration children's rights in the context of, inter alia, an adequate standard of living;

(b) To develop programmes of major improvements to the social security system, housing conditions of children, home sanitation facilities and access to clean drinking water.

Children with disabilities

644. The Committee is concerned that the rights of children with disabilities are not fully respected and that available specialized assistance, including economic assistance, is insufficient. The Committee is concerned, in addition, at the absence of public schools or trained teachers for children with disabilities in need of special facilities.

645. **The Committee recommends that the State party:**

(a) Make urgent efforts to improve respect for the rights of children with disabilities, including the rights to non-discrimination, family life, an adequate standard of living, health care, education and leisure;

(b) Continue to provide and encourage access to the regular education system for children with disabilities who are able to participate in this system;

(c) Ensure that, where necessary, specialized educational and health assistance are made available to children with disabilities in need of such assistance;

(d) Ensure the provision of specialized services for children with disabilities making a transition to the regular education system;

(e) Provide additional assistance to families caring for children with disabilities;

(f) Develop and implement information campaigns targeting, among others, parents, teachers, care givers and children, on the rights of children with disabilities, including the right to equal treatment;

(g) Seek technical assistance from UNICEF and WHO.

Adolescent health

646. The Committee is concerned that adolescents face numerous risks, including from life on the street, sexual exploitation, mistreatment, alcohol, tobacco and drug abuse and delinquency, and that there are no statistics available to indicate the number of adolescents exposed to these dangers. The Committee is concerned, in addition, at the high rates of teenage pregnancy, the incidence of sexually transmitted diseases, the potential spread of HIV/AIDS and the incidence of unsafe abortions occurring outside the health service structure.

647. **The Committee recommends that the State party:**

(a) Ensure that its child rights policy takes into consideration the risks faced by adolescents and that every effort is made to ensure that adolescents have access to appropriate health, including mental health, care and legal assistance;

(b) Give special attention to sexual exploitation, mistreatment, and alcohol, tobacco and substance abuse;

(c) Give special attention to teenage pregnancy, sexually transmitted diseases, HIV/AIDS and unsafe abortions, including through the provision of sex education for all adolescents;

(d) Ensure the provision of child-sensitive health assistance, education and counselling, in full respect of the child's right to privacy;

(e) Seek technical assistance from, among others, UNFPA and WHO.

7. Education, leisure and cultural activities

648. The Committee is concerned that the quality of education is low and, in particular, that there is a serious lack of resources and didactic material in schools, that the training of teachers remains insufficient and that the drop-out rate of children from secondary education is high. The Committee is concerned that access to pre-school education is very limited. While noting gender equality in admissions to primary education, the Committee is concerned that some adolescents are excluded from the system of compulsory education. The Committee is concerned, in addition, that not all children are fluent in both Creole and Portuguese and that these children risk being marginalized, given that school education is in Portuguese.

649. **Noting efforts to increase enrolment levels, particularly to primary school, the Committee recommends that the State party:**

(a) Make urgent efforts to improve the quality of education throughout the education system, including through reference to the Committee's general comment No. 1 on article 29 of the Convention on the aims of education;

(b) Strengthen the training of teachers and the provision of resources, including didactic materials;

(c) Improve access to pre-school education for all children, giving particular attention to children from disadvantaged backgrounds;

(d) Make efforts to increase the number of children completing secondary education;

(e) Ensure full access for all children to compulsory education;

(f) Take steps to ensure that all children are fluent in Creole and Portuguese;

(g) Seek technical assistance from UNICEF in this regard.

8. Special protection measures

Refugees

650. The Committee notes the relatively unimpeded access of refugees to the State party, but remains concerned that the State party has not yet ratified international instruments with regard to the protection of stateless persons.

651. **The Committee recommends that the State party:**

(a) Continue efforts to ensure full respect for the rights of refugee children;

(b) Ratify the 1954 Convention relating to the Status of Stateless Persons;

(c) Ratify the 1961 Convention on the Reduction of Statelessness.

Child labour

652. The Committee is concerned at practices of child labour, including the use of children to wash cars and sell goods on the streets.

653. **The Committee recommends that the State party:**

(a) Ensure implementation of international labour standards with regard to children;

(b) Consider raising the minimum age for work;

(c) Consider ratification of the 1973 ILO Convention No. 138 concerning Minimum Age for Admission to Employment and the 1999 ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Sexual exploitation and trafficking

654. The Committee is concerned at practices of sexual violence and exploitation of children, including child prostitution, primarily affecting girls but also including boys, such as on the island of Sal. The Committee is concerned that, with increasing tourism, sexual exploitation of children may increase and that there may be incidents of trafficking in children.

655. **The Committee recommends that the State party:**

(a) Conduct a study to assess the extent of the sexual exploitation and prostitution of and potential trafficking in children;

(b) Strengthen its efforts to address sexual violence and exploitation of children, including prostitution, inter alia through the judicial system, the media and through information campaigns, while also ensuring the protection of children's right to privacy and other relevant concerns;

(c) Take action to prevent the trafficking of children and to identify and implement solutions;

(d) Develop a National Plan of Action to address sexual exploitation, taking into account the recommendations formulated in the Agenda for Action adopted at the World Congress Against Commercial Exploitation of Children, held in Stockholm in 1996;

(e) Seek technical assistance from UNICEF.

Street children

656. The Committee is concerned at the presence of children living and/or working in the street, in particular in the urban centres of Mindelo, Praia and Sal and that these children are vulnerable to mistreatment, abuse and exploitation, including thieving on behalf of adults.

657. **The Committee recommends that the State party:**

(a) Implement measures to protect and assist children who are living and/or working in the street;

(b) Take steps to address the causes of this concern;

(c) Develop solutions to prevent children from living and/or working in the streets and provide assistance to children in leaving the street, including through family reunification programmes, educational assistance and appropriate rehabilitation;

(d) Seek technical assistance from UNICEF.

Substance abuse

658. Noting the work of the national committee combating drug abuse, the Committee is concerned at the incidence of substance abuse by children, particularly in the urban centres of Praia, Mindelo and Sal.

659. **The Committee recommends that the State party:**

(a) Reinforce the work of the national committee;

(b) Strengthen its efforts to address the abuse of substances by children.

Juvenile justice

660. The Committee is concerned that, in practice, juvenile justice standards are not applied because of severe weaknesses in the functioning of the Commission for the Protection of Minors, the absence of appropriate institutions for the implementation of some juvenile justice measures, the insufficient capacity of courts and the backlog of cases, and an overall lack of financial and human resources. The Committee is concerned, inter alia, by the lack of alternative measures to detention for children over 16, the incarceration of children with adults, and the fact that detained children do not receive any formal education.

661. **The Committee recommends that the State party:**

(a) Proceed with its efforts to strengthen the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Consider deprivation of liberty only as a measure of last resort, for all children up to the age of 18 and for the shortest possible period of time, limit by law the length of pre-trial detention, and ensure the availability of suitable alternatives to detention;

(c) Provide children with legal assistance at an early stage of proceedings;

(d) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including by solving the problem of overcrowded prisons and establishing special facilities for children with conditions suitable to their age and needs; and in the meantime, ensure that children are separated from adults in prison and in pre-trial detention facilities;

(e) Ensure that children up to the age of 18 in conflict with the law are not treated like, and do not receive the same sanctions as adults.

(f) Ensure that children are able to remain in regular contact with their families while in the juvenile justice system;

(g) Establish an independent child-sensitive and accessible system for complaints for children;

(h) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(i) Establish a programme of rehabilitation and reintegration of juveniles following justice proceedings;

(j) Request technical assistance in the area of juvenile justice and police training from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional protocols and article 43 (2)

662. **The Committee recommends that the State party:**

(a) Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the Involvement of Children in Armed Conflicts.

(b) Accept the amendment to article 43 (2) of the Convention.

10. Dissemination of documents

663. **Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned non-governmental organizations.**

III. INTER-SESSIONAL ACTIVITIES OF THE COMMITTEE

664. During the session, the Committee was informed by members about various meetings in which they had participated.

665. Ms. Karp participated in the second International Child Rights Education Conference (18-22 August) in Victoria-British Columbia (Canada). Ms. Karp addressed the Conference and discussed the general comment of the Committee on article 29.1 of the Convention, in the framework of a panel discussion on freedom of religion and multicultural education. Ms. Karp also participated in the eighth European ISPCAN (International Society for the Prevention of Child Abuse and Neglect) Conference held from 24 to 27 August 2001 in Istanbul. Her lecture addressed the impact of the Convention on the protection of children from abuse and neglect.

666. Ms. Chutikul made presentations at the following events: Child protection: our challenges and commitments, The East and Pacific fifth Ministerial Consultation on shaping the future of children, UNICEF, Beijing, (May 2001); Combating trafficking in children and women: children's and women's rights, United Nations Economic and Social Commission for Asia and Pacific, Bangkok, (June 2001); the rights of the child: international status and indicators, International Symposium on Child Protection, Taipei, (September 2001); The effect of poverty and violence on children: the rights based approach, triennial council of Worldvision International, Los Angeles, United States of America (August 2001); Solution to trafficking in women and children, Greater Mekong, subregional workshop on legal measures against transnational organizational crime and trafficking in persons, especially women and children, The Law Institute, Bangkok, (September 2001).

667. Ms. Ouedraogo, participated along with Mr. Doek, in a workshop held in Geneva, Switzerland from 25 to 27 June 2001 entitled "The Application of Human Rights to Reproductive and Sexual Health - Glen Cove+5". She made a statement on the work of the Committee on the Rights of the Child in the field of reproductive health rights. From 19 to 21 August, Ms. Ouedraogo participated to the second International Child Rights Education Conference in Victoria. From 31 August to 7 September 2001, Ms. Ouedraogo and Mr. Doek attended the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa where they represented the Committee. Mr. Doek participated in two side-events: one entitled "Elements of a global alliance against racism: roles and responsibilities of human rights treaty bodies, national human rights institutions, and other relevant institutions" and the other entitled "The child's right to education: the World Conference against Racism and the General Assembly special session on children".

668. Mr. Doek represented the Committee at the 13th meeting of Persons Chairing human rights treaty bodies held from 25 to 27 June 2001 in Geneva. On 16 July he made a presentation on foster care and the Convention on the Rights of the Child at the International Conference on Foster Care in Veldhoven, the Netherlands. Finally, Mr. Doek participated in an expert seminar organized by the European Forum on Child Welfare on discrimination in the juvenile justice system and child protection.

IV. COOPERATION WITH UNITED NATIONS AND OTHER COMPETENT BODIES

669. During the pre-sessional working group and the session, the Committee held various meetings with United Nations bodies and specialized agencies, as well as other competent bodies, in the framework of its ongoing dialogue and interaction with these bodies in the light of article 45 of the Convention.

670. On 25 September 2001, the Committee met with Juan Miguel Petit, the newly appointed United Nations Special Rapporteur on the sale of children, child prostitution and child pornography. Mr. Petit briefly introduced himself and told the Committee that his work would be centred around three main components: information and data collection; field visits, and support to individuals and organizations working directly with and for children. Mr. Petit stressed his wish to collaborate closely with the Committee in the future.

671. On 2 October 2001, the Committee met with Frans Röselaers, Director of the ILO InFocus Programme on Child Labour (ILO/IPEC). He first expressed concern over some wording of the draft outcome document of the special session on children which could challenge the internationally agreed goal of eliminating child labour. Mr. Röselaers indicated that ILO would make a major contribution to the second World Congress against the Commercial Sexual Exploitation of Children to be held in Yokohama, Japan, from 17 to 20 December 2001, based on its solid experience in technical cooperation related to this issue. Mr. Röselaers underlined that the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour had been ratified by 100 States as of 2 October 2001 and added that ILO was grateful to the Committee for its support for the promotion of ILO Conventions.

672. Finally, Mr. Röselaers informed the Committee about the new developments within ILO/IPEC. He provided information on the Time Bound Programmes (TBPs), the new and integrated IPEC approach, whose aim was to accelerate the process of eradicating the worst forms of child labour by linking actions against child labour to the national development effort as a whole. El Salvador, the United Republic of Tanzania and Nepal were the three first countries to have made clear commitment to this approach.

673. During the discussion which followed, the Committee asked from ILO better disaggregated data on child labour, including indicators on the impact of the IPEC programme on child labour in the States concerned. It was also underlined that a link between child labour and education should be systematically made, notably to avoid a gap between the age of ending compulsory education and the minimum age for admission to employment.

V. DAY OF GENERAL DISCUSSION

674. In accordance with rule 75 of its provisional rules of procedure, the Committee on the Rights of the Child decided to devote periodically one day of general discussion to a specific article of the Convention or to a child rights theme in order to enhance understanding of the contents and implications of the Convention.

675. At its twenty-third session, in January 2000, the Committee decided to devote two annual days of general discussion (in September 2000 and September 2001) to the theme "Violence against children".

676. In an outline prepared to guide the general discussion on "Violence against children, within the family and in schools" (for the full outline, see CRC/C/103, annex VIII), the Committee pointed out that the Committee had already held several discussion days on issues of relevance to this topic, including:

- in 1992 on children in armed conflict;
- in 1993 on economic exploitation of children;
- in 1994 on the role of the family in the promotion of the rights of the child;
- in 1995 on the girl child;
- in 1995 on the administration of juvenile justice.

677. In order to have time for more detailed consideration, the Committee decided to focus the discussion of "Violence against Children" in 2000 on State violence suffered by children living in institutions managed, licensed or supervised by the State, and in the context of "law and public order" concerns. In 2001, the focus would be on the problems of violence suffered by children within the family and in schools. This division did not imply any conceptual distinction and should not be seen as negating the many aspects shared by all forms of violence against children.

678. The Convention on the Rights of the Child establishes high standards for the protection of children against violence, in particular under articles 19 and 28, as well as articles 29, 34, 37, 40, and others, but taking also into account the general principles contained in articles 2, 3 and 12 and, in particular, in article 6. The division of this issue into two sub-themes for in-depth working group discussion would unavoidably lead to a certain amount of overlap. Particular attention should be paid during the discussions under both sub-themes to the position and special vulnerability of children suffering discrimination on ethnic grounds and socio-economically marginalized children; attention should also be paid to the distinct problems sometimes posed by gender discrimination, as girls and boys could experience different patterns of abuse and vulnerability.

679. The two working groups would concentrate on the following issues:

(a) Working Group I - violence within the family. The Convention on the Rights of the Child enshrined the principle that parents and guardians bear the primary duty and responsibility for the upbringing of children, with the necessary support of the State (arts. 5 and 18). Article 19 requires States to take all appropriate measures to protect children from all forms of violence, abuse, neglect and maltreatment, including sexual abuse while in the care of parents or legal guardians;

(b) Working Group II - violence in schools. The first aspect of violence against children that violated the rights of children in schools, was that exerted by teachers upon students, in the name of school discipline. Such methods of "discipline" (including corporal punishment, but also other treatment that can be defined as "cruel, inhuman or degrading") were not consistent with the requirement of respect for the child's dignity and his or her rights under the Convention, as specifically required by article 28.2. Discussions of violence against children in schools would also be expected to cover the problem of bullying, or violence and harassment suffered by students at the hands of other students. The failure to prevent such forms of violence and to protect students from them could deny children their right to education as set out in articles 28 and 29 of the Convention, as well as in its general principles and in particular the right to development enshrined in article 6.

680. The key objectives of the meeting would be:

(a) To present, analyse and discuss the nature, extent, causes and consequences of violence against children as described above;

(b) To present and discuss policies and programmes (including legislative and other measures) at the national and international levels to prevent and reduce these types of violence against children;

(c) And, in particular, to present recommendations focusing on concrete measures which should and could be taken by States parties to reduce and prevent violence against children in these circumstances, including in particular:

(i) the review of relevant legislation; and

(ii) useful strategies for public information and education campaigns designed to change cultural values and social attitudes that sanction the use of violence against children, in schools and within the family;

(d) To complement the recommendations adopted by the Committee as a result of the Day of General Discussion held in September 2000 on "State Violence against Children" and examine their relevance to the two sub-themes of violence against children in schools and within the family.

681. As for previous thematic discussions, the Committee invited representatives of United Nations organs, bodies and specialized agencies, as well as other competent bodies, including non-governmental organizations, research and academic organizations and individual experts, to contribute to the discussion.

682. Several organizations and individual experts submitted contributions and other relevant documents on this theme. The list of these contributions is contained in annex VIII.

683. Representatives of the following organizations and bodies participated in the day of general discussion:

Governmental Bodies

Children's Services, Ministry of Education, Ministry of Finance and Planning, Ministry of Health, Office of the Attorney-General, and Office of the Vice-President of Kenya; Permanent Mission of the Democratic People's Republic of Korea to the United Nations Office at Geneva; Children's Rights Commission, Ministry of Education, and Ministry of Justice of Oman.

United Nations entities and specialized agencies

Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, United Nations Non-Governmental Liaison Service, International Labour Organization, World Health Organization (and its European Regional Office).

National human rights institutions

Défenseure des enfants (France)

Non-governmental organizations

Article 12, Amnesty International, Brahma Kumaris World Spiritual University, Children's Rights Alliance for England, Children's Rights Centre of Gent University (Belgium), Commission on International Affairs of the World Council of Churches, Consortium for Street Children (United Kingdom), Coordination des ONG pour les droits

de l'enfant/Kinderrechten Coalitie (Belgium), Defence for Children International (DCI), EPOCH-Worldwide, Falun Gong International Committee for Human Rights, Federation for the Protection of Children's Human Rights (Japan), Focal Point on Sexual Exploitation of Children, Global Initiative to End All Corporal Punishment of Children, Human Rights Watch, HakiElimu (United Republic of Tanzania), Institut International des Droits de l'Enfant (Switzerland), Inter-African Committee on Harmful Traditional Practices Affecting the Health of Women and Children, International Association of Youth and Family Judges and Magistrates, International Council of Women, International Federation of Social Workers, International Save the Children Alliance, International Society for the Prevention of Child Abuse and Neglect (ISPCAN), Kenya Alliance for the Advancement of Children, NGO Group for the Convention on the Rights of the Child, Organisation pour la Sauvegarde des Droits de l'Enfant (OSDE), Radda Barnen Sweden, Save the Children Spain, Save the Children UK, SOS-Kinderdorf International, University of Hull Law School (United Kingdom), Women's World Summit Foundation, World Association of Girl Guides and Girl Scouts (WAGGGS), World Organisation against Torture (OMCT), World Union of Catholic Women's Organisations, World Vision International.

Individual experts

Bruce Abramson (consultant, Switzerland), Julie Biaggi (social worker, United States of America) and Maître Bouhoubeyni (lawyer, Mauritania).

684. The meeting was opened by Mr. Doek, Chairperson of the Committee on the Rights of the Child, who welcomed participants and guests. The first part of the morning session (see CRC/C/SR.729) was devoted to the statements of the High Commissioner for Human Rights, Mary Robinson, a representative of UNESCO, Antonella Verdiani, a representative of UNICEF, Marta Santos Pais, a representative of WHO, Alex Butchart and the Chairperson.

685. Mrs. Robinson welcomed the holding of the discussion day. She recalled the tragic events of 11 September and pointed out that the violence suffered by children within the family and in schools, while less often examined in the human rights context was nonetheless of fundamental importance. Mrs. Robinson pointed out that the human rights of children were violated not only when violence was exerted by agents of the State, but also when States failed to live up to their obligation to protect children from violence at the hands of others. Even when the human rights of children and those of adults appeared to be in conflict, balancing such rights did not amount to denying them. Recognizing children as fully fledged subjects of rights required that mistreatment of children be considered unacceptable when it took forms that would be considered intolerable if applied to adults. The High Commissioner called for the international community to give greater priority to the protection of children against all forms of violence.

686. Ms. Verdiani pointed out that the attacks in the United States had emphasized the importance of combating violence in all its aspects, including through the development of a culture of peace through education, an important area of activity for UNESCO.

687. Ms. Santos Pais said that UNICEF was encouraged by the increased attention paid to the protection of children against violence and the recognition of the need to learn more about the magnitude of the problem. She said that there was a belief in certain quarters that children could not successfully be taught discipline, given guidance or educated without some form of punishment. She drew attention to the valuable information contained in reports prepared by States as part of the review of progress accomplished since the World Summit for Children in 1990, and in the Secretary-General's report "We the Children". UNICEF had identified the protection of children from abuse, violence and exploitation as one of its five priorities for the next four years. Special emphasis would be put on seeking to ensure a safe environment for children, including in the home and in school. UNICEF would conduct a study on freedom from violence in education. Special attention needed to be paid to the particular vulnerability of different groups of children and to the promotion of violence-free learning environments. Violence as an educational or disciplinary measure should become a thing of the past.

688. Mr. Butchart pointed out that the organization's new corporate strategy endorsed a broad approach to health, citing human rights as a new emphasis for WHO in its work. Child abuse and neglect were problems of epidemic proportion that inflicted damage both at the time of abuse and again later, as they increased the risk that victims would be victimized again or would themselves become perpetrators. Cross-country comparisons were problematic, but there seemed to be substantial variations in the prevalence of child abuse, indicating that violence, with its many negative consequences for child health and development, was preventable. WHO promoted a public health approach to preventing violence, grounded in human rights. Public health served to support the practical realization of the legal obligation of States to protect the rights of children. WHO was particularly active in the area of child rights and aimed to build bridges between human rights approaches and objective indicators of child safety by assisting in the development of practical tools for use by policy makers and practitioners in delivering the best possible preventive interventions. Resolution 49.25 adopted by the World Health Assembly in 1996 declared violence to be a global public health problem. WHO would publish in 2002 its first "World Report on Violence and Health", which will be used to develop a global framework for prevention, establishing links to human rights and international legal instruments that could help to promote violence prevention. WHO believed in the need for an interdisciplinary approach, and it could oversee a multi-country survey on the magnitude and nature of violence against children, existing responses, and the use of the Convention. It could also provide technical support at the local level, where needed, to implement the Convention, and would also welcome and be ready to assist in the preparation of related general comments.

689. Mr. Doek pointed out that when large-scale and horrifying forms of violence dominated the news, violence against children within the family and in schools could seem like a minor problem, yet that was not the case. In terms of numbers and of life-long impact, violence against children in such settings posed very serious threats to the child's development. Many millions of children were physically, sexually and emotionally abused within the home, and many were also victims of bullying and of violence from teachers. Special attention should be given to the vulnerability of children suffering ethnic discrimination and socio-economically marginalized children, who could be singled out for harassment at school or subjected to family violence that escaped detection. Gender discrimination also posed distinct problems as girls and boys were both subjected to violence but could experience different patterns of abuse and vulnerability, with girls sometimes at higher risk of sexual abuse or forms of family violence that included

"honour killings" and traditional harmful practices, while boys could be discriminated against by legislation or social values that could make them subject to brutal forms of school or family "discipline" not applied to girls.

690. The participants divided into two working groups for the rest of the morning session. Working Group I on violence against children within the family was chaired by Mr. Doek. John Kydd, of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN) served as resource person for the group. Working Group II on violence against children within schools was chaired by Ms. Karp, Rapporteur of the Committee. Rakesh Rajani, of HakiElimu, served as resource person for the group.

691. Mr. Kydd introduced the discussion in Working Group I. He emphasized the need for reaching agreement on an integrated multisectoral approach to prevention and intervention based on a common understanding of the problem. The Convention should serve as the framework to define violence, covering all types of families and perpetrators. The categories of violence included should also be clearly identified, and an analytical framework was needed that would best allow the identification of underlying causes of violence, including the factors that contributed to family violence. An agreed approach was also needed to identify the frequency and severity of family violence globally. Mr. Kydd described the elements needed to promote action against family violence. They included the need to involve different sectors of society, from policy makers and health professionals to educators, legal professionals, the mass media, organizations of civil society, religious and community leaders and the parents and children themselves. Particular attention needed to be given to meaningful forms of child participation. The signs and symptoms of family violence must be defined and the need for legal reform and reporting systems for professionals assessed. Priorities for action must be defined, and attention must be given to the local cultural and community context in doing so. There was a particular need to identify successful programmes and approaches, for prevention, intervention and recovery; legal reform; dissemination of the Convention and human rights education; public awareness-raising campaigns; training of professionals; strengthened support and assistance to families; reform of social care systems to emphasize multidisciplinary teams and approaches; establishment of monitoring and complaint mechanisms; and child participation in the design of effective strategies. Increased resources and attention must be allocated to the study and prevention of family violence; to help promote higher priority, the size and cost of the problem must be estimated.

692. The discussion in Working Group I revealed some differences in emphasis and preoccupations among participants from different countries. Some participants felt that priority should be given in some countries to breaking taboos that made intervention within the family almost impossible and to the adoption of legal frameworks that would establish the basic principle of protection against violence within the family. Other participants felt that such an approach would risk establishing false distinctions between different forms of violence whereas all forms of violence against children, including psychological and emotional abuse and violence used as a form of "discipline", must be combated. All participants agreed that all forms of violence should be considered unacceptable, but some felt that different forms of violence within the family called for different approaches to prevention and protection that must be taken into account in defining effective strategies. Thus, combating the use of corporal punishment as a form of discipline required a positive approach, based on sensitization and education about the

harmful impact of such forms of "discipline" and about the availability of alternative forms of discipline and their greater effectiveness. Other forms of violence and abuse within the family could be addressed without the need to provide alternatives. Several participants pointed to the need to adopt broad and comprehensive approaches to violence against children within the family, including, such issues as female genital mutilation, marital rape in connection with early marriages, and violence inflicted by siblings rather than adults. Some participants suggested that the definition of priorities and progressive strategies must take account of the context and circumstances and should be left to the national and community levels.

693. The group then explored key elements that must be included in the design of effective prevention, protection and recovery strategies. Participants gave particular attention to the role of legislation and the need for appropriate legal frameworks. Some participants pointed out that, while socially intolerable laws might be impossible to implement progressive legal reform must nonetheless play a part in a broader strategy to bring about changes in cultural attitudes and values that obstructed efforts to prevent violence against children within the family.

694. Participants also explored the fundamental importance of and great complexity involved in increasing support and assistance to families, which must play the key role in preventing family violence, particularly in helping to cope with economic and psychological stress and other risk factors. The emphasis must be on education and support to parenting, rather than on punishment. Prevention and protection efforts must emphasize the need to consider family separation as a measure of last resort, keeping in mind the best interests of the child and the need to avoid further trauma. The aim must be to achieve the best outcome with the least invasive intervention possible.

695. In order to promote the increased allocation of resources to the prevention of violence against children, participants in Working Group I suggested that additional research was needed in order to improve understanding of the factors that increased risk, of the effectiveness of prevention and intervention programmes, and of the real social and economic costs that result from violence. Among other key measures, participants mentioned the need for improved training for professionals working with and for children, including health and education professionals, social workers, legal and law enforcement professionals, etc.

696. Mr. Rajani introduced the subject of violence within schools in Working Group II. He suggested that the new vision of the status and dignity of children represented by the concept of child rights provided the context in which to define violence. In that context even the argument that corporal punishment could have a "beneficial" effect became questionable. In schools, violence also manifested itself in bullying, sexual harassment, etc., and it was important to understand the connections between the different forms of violence without defining it so broadly that the concept lost its potency. Mr. Rajani pointed out that the usefulness of legal reform might depend on other factors that made legislation effective. He also brought up the need for a discussion of the extent to which local and cultural contexts should be taken into account, including the role to be played by universal norms and international actors. The need to extend action based on the Convention from the international and national arenas to local communities should also be discussed. A major challenge was also posed by the question of how to involve children meaningfully and institutionalize their participation. In addition, Mr. Rajani suggested that both teachers and parents played a key role in relation to school

violence and pointed to the need to discuss whether violence in that context should be criminalized. Effective action based on child rights would require higher priority in the allocation of resources, and advocacy efforts should reflect the experience gained in addressing domestic violence and violence against women. Finally, Mr. Rajani pointed out that the discussion should explore the best approaches to engaging with the public about alternatives to violence that could be used to communicate and maintain discipline, and to support local communities in finding alternative ways to relate to children. Being able to offer inspiring alternatives could be more useful than condemning violence in achieving progress against it.

697. As was the case for Working Group I, most of the issues identified during the discussion in Working Group II are fully reflected in the recommendations adopted by the Committee. The discussion on the definition of violence was brief, with general acknowledgement that all forms of violence were interrelated and that focusing only on one would be counterproductive. Participants agreed that the problem of violence in schools was broader than the issue of corporal punishment, and that it included violence inflicted by teachers on students and also among students, including bullying and verbal harassment and abuse. Violence could escalate, from verbal to physical or sexual abuse. Moreover, violence in schools was seen as inextricably linked to violence with the family and community. The discussion focused mainly on the need to define guiding principles for the creation of a climate of security in which learning could take place. Approaches to preventing violence should be positive and guided by a vision that focused on the human dignity of the child rather than on violence itself. Participants agreed that all forms of violence should be considered unacceptable, regardless of any claims about perceived usefulness. Participants agreed to avoid a discussion on the universality of human rights norms with regard to corporal punishment, while acknowledging that the development of effective approaches at the international level must take account of the different local contexts, including diversity in the approach taken by different cultures to raising children in violence-free settings. The group also reached broad agreement on the need to address the issue of violence in schools using a holistic approach to education that considered public schools as well as private establishments and informal settings.

698. Participants highlighted the need for efforts to be comprehensive, and while the main actor in countering violence must be the State, given its obligations under the Convention, efforts must involve all stakeholders: children, teachers, parents and the local community. Participants stressed the need to consider children's experiences and to involve them in devising interventions. Teachers needed to see the elimination of violence in schools as useful to improve their own professional capacity, and parents and local communities must be encouraged to increase their involvement in the running of schools. Strategies discussed included the need for teacher training, for research into other education models, for promotion of alternative disciplinary measures, and for the establishment of systems to detect violence at schools and of centralized reporting mechanisms. Some participants pointed out that mandatory reporting must respect the individual rights of each child, but might not always protect the best interests of the child if it led to the involvement of law enforcement in circumstances where less intrusive interventions might achieve better outcomes. Challenges identified during the discussion included the need to bring about changes in attitudes, including among children, and to address resource constraints. Some participants felt that limited resources made the elimination of violence an unachievable ideal objective, while others pointed out that violence was also present in schools that had adequate salaries for teachers, class sizes, teaching materials and buildings.

Participants noted the parallels that could be established with public campaigns and advocacy targeting violence against women, and agreed that support must be given to movements that empowered children.

699. During the afternoon session, the two working groups met again to discuss the draft recommendations prepared by the rapporteurs for each group, in consultation with the chairpersons. Mr. Kydd and Mr. Rajani, the rapporteurs of the two working groups, presented to the plenary meeting the recommendations that had been identified by each group (see CRC/C/SR.730). Ms. Karp, the Rapporteur of the Committee on the Rights of the Child, made some closing remarks. She emphasized that violence against children was an issue of human rights and human dignity, and stressed the Committee's clearly expressed view that corporal punishment should be considered unacceptable and that all forms of violence against children should be prohibited. The day of general discussion had highlighted the need for a positive strategic approach, constructive rather than punitive, to reflect the new vision of childhood enshrined in the Convention on the Rights of the Child. Empowerment of children, teachers, parents and communities through increased awareness, training, support and full participation would hopefully bring about change and lead to a less violent society, one where dialogue and mutual respect would prevail and children feel safe. Mr. Doek reminded all participants that the impact of violence on children could be dramatic and lead to the perpetration of future acts of violence by the victims. He concluded by expressing the thanks of the Committee to the two resource persons and invited guests, as well as for the support received from the Secretariat. He closed the session by reminding all participants that the Committee would review the proposals and adopt its recommendations at the end of the session.

700. On the basis of the recommendations of the two working groups, the following recommendations were adopted by the Committee.

Guiding principles

701. The Committee urges that references to "family" and "school" not be understood as narrowly defined. The references to "family" (or to "parents") must be understood within the local context and may mean not only the "nuclear" family, but also the extended family or even broader communal definitions including grandparents, siblings, other relatives, guardians or care providers, neighbours, etc. Similarly, all references to "school" (or to "teachers") should be understood to include schools, teaching institutions, and other formal and non-formal learning environments.

702. The Committee recommends that an alternative vision of the school and the family that respects the rights and dignity of all, including children, parents and teachers, should guide all actions on the issue of violence against children. The main strategy should be to galvanize actions around this vision rather than use punitive measures. In this vision relations between and among children and parents or teachers (as well as other family members or students) are mutually respectful and the safety and security of all is promoted.

703. The Committee considers that violence against children is unacceptable under any circumstances, in accordance with the provisions of the Convention on the Rights of the Child. However, the actions to stop violence against children need to take adequate account of different social and cultural contexts and should be devised by fully engaged local actors. National strategies should take fully into account the local context and actors.

704. In conceptualizing violence, the Committee recommends that the critical starting point and frame of reference be the experience of children themselves. Therefore, children and young people must be meaningfully involved in promoting and strategizing action on violence against children.

705. The Committee recommends that efforts be made to strengthen the link between communities and families and between communities and schools. Community members, including parents, children and teachers, need to be well informed about their rights and fully involved in the life of the school, including in school governance.

706. The Committee recognizes that different forms of violence against children (such as corporal punishment, bullying, sexual harassment and abuse, and verbal and emotional abuse) are interlinked, and that violence in the family and school reinforce one another. Action against violence therefore must take a holistic approach and emphasize non-tolerance of all forms of violence. Physical violence and other more severe forms of violence are more likely where everyday harassment is tolerated. Tolerance of violence in one sphere makes it difficult to resist it in another.

At the international level

707. In accordance with the provisions of article 45 (c) of the Convention on the Rights of the Child, the Committee recommends that the Secretary-General be requested, through the General Assembly, to conduct an in-depth international study on violence against children. The study should be as thorough and influential as the report of the expert appointed by the Secretary-General, Graça Machel, on the Impact of armed conflict on children (A/51/306 of 26 August 1996). Such a study should:

(a) Be guided by the Convention on the Rights of the Child and other relevant international standards and take full account of the recommendations adopted by the Committee at its days of general discussion in 2000 and 2001;

(b) Document the different types of violence of which children are victims, the prevalence of such violence and its impact on children, adults and societies. Areas of study should include violence within the family and the home, in schools and care or residential institutions, both State and private, in work situations and in the streets, in detention facilities and prisons, violence by police and the use of capital and physical punishment. Violence should include all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, including sexual abuse, bullying in schools and corporal punishment. Attention should be paid to the impact of discrimination (including discrimination based on gender, race, economic status, etc.) on the patterns of violence and vulnerability experienced by children;

(c) Seek to identify the causes of and factors contributing to violence against children, including factors - such as the role of legislation, public education and training of professionals - that contribute to or obstruct prevention, protection and recovery, and explore the links between various provisions of the Convention on the Rights of the Child and other international human rights treaties in relation to violence against children;

(d) Draw primarily on existing research and documentation, including reports to and of the Committee on the Rights of the Child, special rapporteurs and other United Nations and United Nations-related bodies, including UNESCO, UNICEF, the United Nations Development Fund for Women (UNIFEM), UNFPA and WHO, and studies conducted by academics, research institutions and non-governmental organizations. The study should collect information on various human rights mechanisms and United Nations bodies and agencies and the extent to which the problem of violence against children is addressed in their activities from a human rights perspective;

(e) Be conducted in collaboration with all United Nations agencies and bodies, particularly the Committee on the Rights of the Child, OHCHR and the United Nations human rights mechanisms, UNICEF, WHO and UNESCO, as well as with relevant non-governmental organizations, academic institutions and international professional organizations, and involve children themselves.

On this basis, and taking into account information on the effectiveness of existing approaches, the study should lead to the development of strategies aimed at effectively preventing and combating all forms of violence against children, outlining steps to be taken at the international level as well as by States to provide effective prevention, protection, intervention, treatment, recovery and reintegration.

708. The Committee recommends that account be taken of its general comment No. 1 on the aims of education (article 29.1 of the Convention), which states that corporal punishment is not compatible with the provisions of the Convention and emphasizes the impact of violence in schools on the denial of the child's right to an education directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential; to the development of respect for human rights and the values enshrined in the Convention; and to preparation for a responsible life in a free society.

709. The Committee reaffirms its call upon all States, concerned United Nations agencies and bodies and non-governmental organizations to give priority attention to violence against children at the General Assembly special session on children, and to include in its resulting plan of action steps to reduce and eliminate such violence.

710. The Committee urges United Nations bodies and agencies to adopt a more integrated and multisectoral approach to the prevention of violence against children, including through public health and epidemiological approaches, and taking into consideration poverty and socio-economic marginalization and the impact of multiple forms of discrimination.

711. The Committee recommends that efforts be made by United Nations human rights mechanisms with a mandate to consider individual complaints concerning violations of human

rights to identify ways to respond more effectively to individual complaints concerning violence against children, including violence within the family and in schools. It encourages non-governmental organizations to disseminate information about the existence and functioning of relevant mechanisms (including those under the Optional Protocol to the International Covenant on Civil and Political Rights, under article 22 of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment and under the new Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women). Information should also be disseminated about other United Nations and regional human rights mechanisms, particularly the Committee on Economic, Social and Cultural Rights, the Special Rapporteurs on violence against women, on the sale of children, child prostitution and child pornography, on the right to education and on traditional practices affecting the health of women and girls. The Committee also encourages non-governmental organizations and others to consider the best ways in which they can provide legal and other assistance in bringing individual complaints related to violations of the right of children to be protected against torture and other forms of violence before the relevant United Nations and regional human rights mechanisms.

712. The Committee recommends that effective measures be sought to strengthen existing United Nations human rights mechanisms in order to ensure that all forms of violence against children, including within the family and in schools, is adequately addressed. The Committee encourages the Office of the High Commissioner for Human Rights to organize a workshop for all relevant treaty bodies and special procedures, involving United Nations bodies and agencies, regional human rights mechanisms and relevant non-governmental organizations, to examine:

(a) Violence against children;

(b) The effectiveness of existing United Nations mechanisms in addressing this phenomenon, and the need for other competent United Nations human rights bodies to include the matter of violence against children in their consideration of States parties' reports;

(c) The need for and possible ways to improve such effectiveness, including consideration of the need to take into account more adequately the special characteristics of children;

(d) The possible need for either an optional protocol to the Convention to establish a procedure for individual complaints, or the establishment of a new special procedure of the Commission on Human Rights; and

(e) The consideration that could be given to providing, from within existing United Nations voluntary funds, assistance for the recovery of child victims of violence.

713. The Committee recognizes that grass-roots initiatives for child rights and the Global Movement for Children present an important opportunity to advance action on violence against children. The Committee appreciates the involvement of children and young people in such initiatives and urges their increased use as forums for their voices. In this context, the Committee encourages States parties, NGOs and others to share their experiences on effective means of preventing violence against children.

Review of domestic legislation

714. The Committee urges States parties to review all reservations to relevant articles of the Convention on the Rights of the Child, with a view to their withdrawal.

715. The Committee urges States parties, as a matter of urgency, to enact or repeal their legislation as necessary in order to prohibit all forms of violence, however slight, within the family and in schools, including as a form of discipline, as required by the provisions of the Convention and in particular articles 19, 28 and 37 (a) and taking into account articles 2, 3, 6 and 12, as well as articles 4, 5, 9, 18, 24, 27, 29 and 39.

716. The Committee recommends that such legislation incorporate provisions for appropriate sanctions for violations and compensation for victims.

717. The Committee urges States parties to review all relevant child protection legislation to ensure that while effective protection is guaranteed, intervention is adequately tailored to individual contexts and circumstances, favours the least intrusive method, and adopts a positive approach that seeks to protect the child from additional harm. The Committee recommends that States parties review legislation dealing with children deprived of a family environment to ensure that all placement decisions are subject to periodic judicial review, including at the request of children themselves, and have family reunification as the preferred outcome, within the requirements of articles 3, 9, 19 and 39 of the Convention.

718. The Committee recommends careful monitoring of the effective implementation of such legislation, including through the provision of education, training and resources.

Prevention: awareness-raising, sensitization and training

719. The Committee recommends that States parties adopt clear national policy statements on violence against children within the family and in schools, to be used as an advocacy tool and disseminated throughout the country.

720. The Committee recommends that every State party undertake a comprehensive study on the extent, nature, causes and consequences of violence against children. This study should be widely disseminated and used to formulate policy and programmes.

721. The Committee encourages States parties, NGOs, United Nations human rights mechanisms, United Nations agencies and other bodies to give priority to promoting a more positive approach to acknowledging children as bearers of human rights and to raising awareness about and bringing about change in cultural attitudes towards protecting children from violence and the availability of more constructive and effective methods of discipline. Such an approach should include the following:

(a) Public information campaigns should be launched, involving religious, traditional and community leaders, to raise awareness and sensitize the public about the severity of human rights violations and the harm to children in this domain, and to address cultural acceptance of violence against children, promoting instead the unacceptability of all forms of violence against children;

(b) Children and parents should be meaningfully involved in all aspects of the design and implementation of awareness-raising campaigns, including through peer education efforts;

(c) The media should be encouraged to play an active role in educating the public and raising awareness. Reporting should call attention to the violations and reflect children's views and experiences of violence, while avoiding sensationalism and ensuring respect for the right to privacy of child victims. The media and entertainment industry should also avoid disseminating positive images of any form of violence;

(d) States parties should translate appropriate information on protection of children from violence into its national and local languages and ensure that it is disseminated, through all appropriate channels and involving grass-roots groups, to all relevant professional and other reporting groups, children, parents, and the general public.

722. The Committee recommends that the professional status, rewards and career incentives for social workers, health professionals and individuals working with children should be such as to be able to request appropriate qualifications and screening for a background of violence. The Committee also recommends that minimum standards be set for the professional qualification and training of individuals working in the school system, and that teachers' unions be involved in the development of codes of conduct and good practices for discipline without violence. The professional status, rewards and career incentives for teachers should be such as to ensure that appropriate qualifications can be requested, and States parties should make every effort in recruiting staff to work as teachers and school administrators, to give due attention to ensuring that staff have the capacity to make effective use of non-violent methods of discipline.

723. The Committee recommends that States parties, in partnership with relevant NGOs and seeking international technical assistance where appropriate, ensure that all relevant professional groups, including, but not limited to, teachers and school administrators, social workers, health professionals, lawyers, the judiciary, members of police and other security forces, receive training in child rights. Such training should follow interdisciplinary methods promoting collaborative approaches, include relevant human rights standards and non-violent relationships and methods of discipline, and provide information on child development and on the background, rights and needs of specially vulnerable groups of children, including children with disabilities.

724. The Committee recommends that information about rights and protection from violence be available to children and included in school curricula and that children be meaningfully involved in the design of strategies and solutions to reduce and eliminate violence within the family and in the school setting, such as the adoption of anti-bullying and anti-violence policies in schools.

Other prevention and protection strategies

725. The Committee points out that in order to maximize protection against violence committed against children who are particularly vulnerable owing to disability, and in accordance with the provisions of article 23 of the Convention, special care for children with disabilities, as well as access to education, training, health-care and recovery services, preparation for employment and recreation opportunities should be provided in a manner "conducive to the child's achieving the fullest possible social integration and individual development".

726. The Committee recommends that particular attention be given to the different patterns of family abuse and vulnerability and to the effective measures that can be adopted for different age groups. Within the family, gender discrimination can produce different patterns of vulnerability. While both boys and girls are subject to physical and sexual violence, boys can be particularly exposed to physical violence and girls to sexual violence which must be taken into account in planning prevention and responses. The need to prevent racial and related forms of discrimination, as well as discrimination based on socio-economic marginalization, must also be taken into account in planning for and providing support to families, and in investigating or intervening in cases of violence or on the basis of an assessed risk of violence occurring.

727. The Committee recommends that appropriate attention also be given to issues of discrimination in preventing and responding to violence against children in schools. Gender discrimination can result in different patterns of risk and abuse suffered by boys and girls. Boys may be more often exposed to corporal punishment as a form of discipline and less effectively protected from violence and bullying by other students, as well as from involvement in violence. While both boys and girls are subject to sexual abuse, girls may be more often exposed to sexual violence by teachers and other students; this can also result in a denial of their right to education when fear of such risk leads to avoidance of schools. Racial discrimination and xenophobia, socio-economic factors, sexual orientation, and physical size or strength can be factors that expose children to a higher risk of victimization.

728. The Committee recommends that efforts be made to implement fully the provisions of articles 18.2, 19.2, 24 and 27 of the Convention by providing appropriate assistance to parents and legal guardians in their child-rearing responsibilities. This includes addressing all forms of family violence, as well as ensuring that everyone has access to quality pre-natal, perinatal and early childhood health services to improve early attachment. The Committee encourages the development and implementation of home visitation programmes, noting that they can be effective in reducing the need for intervention.

729. The Committee recommends that States parties consider introducing schemes designed to identify children at risk of family violence and provide appropriate services to reduce those risks, paying due attention to the provisions of articles 12 and 16 of the Convention.

730. The Committee recommends that particular attention be given to the recovery of child victims of violence, which is important in preventing the risk of renewed abuse.

731. The Committee recommends that due attention be given to the need to broaden involvement and participation in decision-making processes in schools. Involvement of parents and students in governing processes, for example through student councils and representative membership on school boards, including in drawing up the rules and monitoring of discipline, can contribute to the design of effective prevention strategies and to the creation of a positive climate in schools that discourages violence, both as a form of so-called discipline and among students.

732. Effective strategies to prevent violence in schools must also address the problems created by the availability or tolerance of weapons and of substance abuse in the school environment.

Monitoring and complaint mechanisms

733. The Committee recommends that urgent attention be given to establishing effective systems to monitor the treatment of children and to report and investigate cases of suspected ill-treatment, including within the family and in schools. Such systems should:

(a) Provide for appropriate training for professionals working with children - primarily teachers and health professionals - to increase their ability to detect symptoms and assess the possibility of ill-treatment;

(b) Encourage schools and health services to detect and report evidence of violence against children, and to provide appropriate treatment for victims and perpetrators;

(c) Ensure full access to facilities and records and inspection of all schools and other institutions, permit unannounced visits, and include the holding of private consultations with children and staff;

(d) Monitor children's views and perceptions of their experience, rather than focus only on the material circumstances of families, or on the state of the facilities and the provision of services by institutions;

(e) Ensure that complaints, under a mandatory reporting procedure or otherwise, of incidents of violence received from health and other professionals, teachers, schools, children themselves, their parents and legal guardians, and NGOs or other institutions of civil society, receive a coordinated and multidisciplinary response that may or may not involve law enforcement at an initial stage;

(f) Be fully connected to a response system with the resources to provide support and assistance if necessary, rather than only intervention or punishment;

(g) Protect reporting professionals, and all others reporting or initiating complaints, from reprisals or liability, including for cases of reasonable mistakes in the assessment of risk or abuse;

(h) Monitor the follow-up given to reports and provide sufficient resources to ensure that case loads and time lags are not excessive and that the investigation of reports of suspected cases of abuse is sufficient to enable the risks to be accurately assessed;

(i) Ensure that independent external complaints mechanisms and procedures to receive reports of violence against children are established and functioning and provide full guarantees of independent and thorough investigation of any child deaths as well as of any complaints, including judicial investigation for any cases of harm;

(j) Ensure that the perpetrators of violence are appropriately held accountable, including, when warranted, suspension or dismissal and the bringing of criminal charges, and that persons convicted of violent offences against children are prevented from working in institutions that serve children;

(k) Where perpetrators are children, ensure that procedures are in accordance with international standards of juvenile justice;

(l) Ensure that children receive legal advice and assistance and the wide dissemination of information about the rules and protection available so that children are aware of the existence and functioning of complaint mechanisms, including for child-initiated complaints;

(m) Ensure that children are involved in the design of appropriate child-sensitive mechanisms (covering also legal proceedings and court procedures) that take their special needs into account, for example by avoiding the need for students to repeat their statements unless absolutely necessary, or by taking into account the needs of children with disabilities, different linguistic abilities, etc;

(n) Ensure that reports of any investigations are made public (while maintaining the right of the child victims to privacy), and made known to relevant government officials and policy makers.

734. The Committee urges States parties to ensure the collection of accurate, up-to-date and disaggregated data on the incidence, severity and causes of violence within the family and in schools, including on children's views and experiences, as well as on the effectiveness of existing programmes and approaches.

735. The Committee urges States parties to ensure the inclusion of detailed information on violence against children within the family and in schools in their reports on the implementation of the Convention on the Rights of the Child, including on measures taken to reduce and eliminate violence within the family and in schools.

736. The Committee encourages the conduct of research aimed at revealing the hidden socio-economic costs of violence against children, for example the cost involved in providing psychiatric care for child victims in later life, as well as to better evaluate the effectiveness of existing prevention, protection and recovery programmes.

Coordination and resources

737. The Committee emphasizes the need for the preparation of integrated multisectoral strategies and plans of action at the international, regional, national and local levels, to ensure that efforts for the prevention of violence within the family and the care for child victims are fully coordinated and multidisciplinary, address the root causes of violence (including socio-economic factors, discrimination and others), and involve children in the design of effective prevention and response strategies

738. The Committee emphasizes the need for the preparation of comprehensive strategies and plans of action at the national level, to ensure that efforts for the prevention of violence in schools are fully coordinated and multidisciplinary, address the root causes of violence (including discrimination), and involve children in the design of effective prevention and response strategies. The Committee recognizes that it is extremely difficult to manage schools without resorting to violent means of discipline where schools are overcrowded and lack basic materials, and where teachers are undermotivated and poorly compensated. The Committee strongly reaffirms the right of every child, in accordance with articles 28 and 29 of the Convention, to a quality education and reminds States parties and international development partners of their obligation to provide adequate resources to fulfil this right.

739. The Committee urges that attention be given to the need to ensure that adequate resources are allocated to the prevention and detection of violence within the family and in schools and to the protection and recovery of child victims. The Committee reminds State parties that under the provisions of article 4 of the Convention, only "economic, social and cultural rights" are subject to implementation to the "maximum extent of available resources" while States parties "shall undertake all appropriate legislative, administrative and other measures" for the implementation of all other rights, including the right of children to be protected from all forms of violence and abuse (art. 19).

740. The Committee encourages States parties, United Nations bodies and agencies, and donors of international technical assistance to allocate resources to programmes and measures designed to improve prevention of violence within the family and in schools, protection of children and other family members and recovery of victims, including by increasing the resources provided to families and education professionals. It urges States parties and others to ensure that available resources are used in the manner most conducive to protecting children from all sorts of violence and preventing it. The Committee calls attention to the need to consider the allocation of resources as part of the effort to review the relevant legislation.

Role of civil society

741. The Committee encourages non-governmental and other organizations of civil society to devote increased attention to the prevention of, and protection of children from, violence within the family and in schools. It urges NGOs to consider providing legal and other assistance to children and their advocates, monitoring implementation of legislation, and assisting governments to formulate appropriate and least-intrusive prevention, protection and recovery

measures, in addition to monitoring the situation of children in vulnerable circumstances. NGOs should seek to promote the care of children within their families as far as possible and favour prevention and early intervention.

742. The Committee encourages NGOs to support States parties and children in ensuring that children's views and experiences, as well as their proposals on preventing violence within the family and in schools, are heard and taken into account in public debate and policy, as well as in the formulation of their own programmes.

743. The Committee points out that the State, by delegating NGOs to provide services and care to children cannot avoid its own obligations both to provide the necessary resources and to exercise appropriate supervision.

744. In accordance with the provisions of article 45 (a) of the Convention, the Committee encourages NGOs to prepare and present to it within the reporting process information regarding all forms of violence against children within the family and in schools, including those considered culturally "acceptable", for example by developing and maintaining an easily accessible database summarizing each State party's commitment to and compliance with its violence-prevention human rights obligations.

745. The Committee encourages States parties and intergovernmental and non-governmental organizations to involve national human rights institutions, as well as professional groups and trade unions, in the design and implementation of strategies relating to the prevention of, and protection of children against, violence and the recovery of child victims of violence, and to keep those groups informed about all such strategies.

VI. FUTURE DAY OF GENERAL DISCUSSION

746. At its 735th meeting, held on 3 October 2001, the Committee decided that the theme for its day of general discussion in September 2002 would be "The private sector and child rights". It would in principle adopt an outline at its twenty-ninth session. Mr. Citarella and Ms. Tigerstedt-Tähtelä agreed to be the Committee's focal points for this discussion day.

VII. GENERAL COMMENTS

747. At its 736th meeting, held on 3 October 2001, the Committee continued its discussion on possible issues for the drafting of future general comments. It decided to launch the process of drafting general comments, in consultation with partners, on (a) the role of national human rights institutions with regard to child rights and (b) HIV/AIDS and child rights. It also decided to continue to discuss general comments at its twenty-ninth session.

VIII. OPTIONAL PROTOCOLS

748. At its 736th meeting, held on 3 October 2001, the Committee adopted the guidelines regarding initial reports to be submitted by States Parties under article 8 (1) of the Optional Protocol on the involvement of children in armed conflict (CRC/OP/AC/1).

IX. DRAFT PROVISIONAL AGENDA FOR THE TWENTY-NINTH SESSION

749. The following is the draft provisional agenda for the twenty-ninth session of the Committee:

1. Adoption of the agenda.
2. Organizational matters.
3. Submission of reports by States parties.
4. Consideration of reports of States parties.
5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.
6. Methods of work of the Committee.
7. General comments.
8. Biennial report to the General Assembly.
9. Future meetings.
10. Other matters.

X. ADOPTION OF THE REPORT

750. At its 749th meeting, held on 12 October 2001 the Committee considered the draft report on its twenty-eighth session. The report was adopted unanimously by the Committee.

Annex I

STATES WHICH HAVE SIGNED, RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 12 OCTOBER 2001 (191)

State	Date of signature	Date of receipt of instrument of ratification/accession[a]	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993[a]	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992[a]	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992[a]	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina[b]			6 March 1992
Botswana		14 March 1995[a]	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995[a]	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992[a]	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993[a]	13 November 1993
Cook Islands		6 June 1997[a]	6 July 1997
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia[b]			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic[b]			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Democratic Republic of Congo	20 March 1990	27 September 1990	27 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992[a]	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991[a]	20 November 1991
Ethiopia		14 May 1991[a]	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994[a]	2 July 1994

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990[a]	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992[a]	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994[a]	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakhstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995[a]	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991[a]	7 June 1991
Latvia		14 April 1992[a]	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993[a]	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996

States	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Lithuania		31 January 1992[a]	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991[a]	1 February 1991
Malaysia		17 February 1995[a]	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990[a]	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993[a]	4 June 1993
Monaco		21 June 1993[a]	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991[a]	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994[a]	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995[a]	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Oman		9 December 1996[a]	8 January 1997
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995[a]	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993[a]	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993[a]	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991[a]	25 December 1991
Sao Tome and Principe		14 May 1991[a]	13 June 1991
Saudi Arabia		26 January 1996[a]	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990[a]	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995[a]	4 November 1995
Slovakia[b]			1 January 1993
Slovenia[b]			25 June 1991
Solomon Islands		10 April 1995[a]	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Switzerland	1 May 1991	24 February 1997	26 March 1997
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993[a]	25 November 1993
Thailand		27 March 1992[a]	26 April 1992
The former Yugoslav Republic of Macedonia[b]			17 September 1991

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995[a]	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993[a]	19 October 1993
Tuvalu		22 September 1995[a]	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Arab Emirates		3 January 1997[a]	2 February 1997
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994[a]	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zambia	30 September 1990	5 December 199 1	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

[a] Accession.

[b] Succession.

Annex II

STATES WHICH HAVE SIGNED (84), OR RATIFIED OR ACCEDED TO (6) THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT AS AT 12 OCTOBER 2001
(not yet entered into force)

State	Date of signature	Date of receipt of instrument of ratification/accession
Andorra	7 September 2000	30 April 2001
Argentina	15 June 2000	
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belgium	6 September 2000	
Belize	6 September 2000	
Benin	22 February 2001	
Bosnia and Herzegovina	7 September 2000	
Brazil	6 September 2000	
Bulgaria	8 June 2001	
Cambodia	27 June 2000	
Canada	5 June 2000	7 July 2000
China	15 March 2001	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	
Czech Republic	6 September 2000	
Democratic Republic of the Congo	8 September 2000	
Denmark	7 September 2000	
Ecuador	6 September 2000	
El Salvador	18 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	
Iceland	7 September 2000	1 October 2001
Indonesia	24 September 2001	
Ireland	7 September 2000	
Italy	6 September 2000	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	
Kenya	8 September 2000	
Lesotho	6 September 2000	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Mali	8 September 2000	
Malta	7 September 2000	
Mexico	7 September 2000	
Monaco	26 June 2000	
Morocco	8 September 2000	
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	
Netherlands	7 September 2000	
New Zealand	7 September 2000	
Nigeria	8 September 2000	
Norway	13 June 2000	
Paraguay	13 September 2000	
Pakistan	26 September 2001	
Panama	31 October 2000	8 August 2001
Peru	1 November 2000	

State	Date of signature	Date of receipt of instrument of ratification accession
Philippines	8 September 2000	
Portugal	6 September 2000	
Republic of Korea	6 September 2000	
Romania	6 September 2000	
Russian Federation	15 February 2001	
San Marino	5 June 2000	
Senegal	8 September 2000	
Seychelles	23 January 2001	
Sierra Leone	8 September 2000	
Singapore	7 September 2000	
Slovenia	8 September 2000	
Spain	6 September 2000	
Sri Lanka	21 August 2000	8 September 2000
Sweden	8 June 2000	
Switzerland	7 September 2000	
The former Yugoslav Republic of Macedonia	17 July 2001	
Turkey	8 September 2000	
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	
Yugoslavia	8 October 2001	

Annex III

STATES WHICH HAVE SIGNED (74) OR RATIFIED OR ACCEDED TO (8) THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY AS AT 12 OCTOBER 2001

(will enter into force on 18 January 2002)

State	Date of signature	Date of receipt of instrument of ratification/accession
Andorra	7 September 2000	30 April 2001
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belgium	6 September 2000	
Bulgaria	8 June 2001	
Belize	6 September 2000	
Bosnia and Herzegovina	7 September 2000	
Brazil	6 September 2000	
Cambodia	27 June 2000	
Chile	28 June 2000	
Cyprus	8 February 2001	
China	6 September 2000	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	25 September 2001
Denmark	7 September 2000	
Ecuador	6 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	
Iceland	7 September 2000	9 July 2001
Ireland	7 September 2000	
Italy	6 September 2000	
Indonesia	24 September 2001	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	
Kenya	8 September 2000	
Lesotho	6 September 2000	
Lebanon	10 October 2001	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Malta	7 September 2000	
Mexico	7 September 2000	
Monaco	26 June 2000	
Morocco	8 September 2000	2 October 2001
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	
Netherlands	7 September 2000	
New Zealand	7 September 2000	
Nigeria	8 September 2000	
Norway	13 June 2000	2 October 2001
Panama	31 October 2000	9 February 2001
Paraguay	13 September 2000	
Peru	1 November 2000	
Philippines	8 September 2000	
Portugal	6 September 2000	
Republic of Korea	6 September 2000	
Romania	6 September 2000	
San Marino	5 June 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
Senegal	8 September 2000	
Seychelles	23 January 2001	
Sierra Leone	8 September 2000	17 September 2001
Slovenia	8 September 2000	
Spain	6 September 2000	
Sweden	8 September 2000	
Switzerland	7 September 2000	
Turkey	8 September 2000	
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	

Annex IV

MEMBERSHIP OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

Name of member	Country of nationality
Mr. Ibrahim Abdul Aziz AL-SHEDDI**	Saudi Arabia
Ms. Ghalia Mohd Bin Hamad AL-THANI**	Qatar
Ms. Saisuree CHUTIKUL**	Thailand
Mr. Luigi CITARELLA**	Italy
Mr. Jacob Egbert DOEK*	Netherlands
Ms. Amina Hamza EL GUINDI*	Egypt
Ms. Judith KARP*	Israel
Ms. Awa N'Deye OUEDRAOGO*	Burkina Faso
Ms. Marilia SARDENBERG**	Brazil
Ms. Elisabeth TIGERSTEDT-TÄHTELÄ*	Finland

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* Term expires on 28 February 2003.

** Term expires on 28 February 2005.

Annex V

STATUS OF SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 12 OCTOBER 2001

Initial reports due in 1992

State party	Date of entry into force	Date due	Date of submission	Symbol
Bangladesh	2 September 1990	1 September 1992	15 November 1995	CRC/C/3/Add.38 and Add.49
Barbados	8 November 1990	7 November 1992	12 September 1996	CRC/C/3/Add.45
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14
Belize	2 September 1990	1 September 1992	1 November 1996	CRC/C/3/Add.46
Benin	2 September 1990	1 September 1992	22 January 1997	CRC/C/3/Add.52
Bhutan	2 September 1990	1 September 1992	20 April 1999	CRC/C/3/Add.59
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992	19 March 1998	CRC/C/3/Add.58
Chad	1 November 1990	31 October 1992	14 January 1997	CRC/C/3/Add.50
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992	13 February 1996	CRC/C/3/Add.41
Democratic Republic of the Congo	27 October 1990	26 October 1992	16 February 1998	CRC/C/3/Add.57
Ecuador	2 September 1990	1 September 1992	11 June 1996	CRC/C/3/Add.44
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9 and Add.28
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992	20 November 1999	CRC/C/3/Add.61

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Ghana	2 September 1990	1 September 1992	20 November 1995	CRC/C/3/Add 39
Grenada	5 December 1990	4 December 1992	24 September 1997	CRC/C/3/Add 55
Guatemala	2 September 1990	1 September 1992	5 January 1995	CRC/C/3/Add 33
Guinea	2 September 1990	1 September 1992	20 November 1996	CRC/C/3/Add 48
Guinea-Bissau	19 September 1990	18 September 1992	6 September 2000	CRC/C/3/Add 63
Holy See	2 September 1990	1 September 1992	2 March 1994	CRC/C/3/Add 27
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add 17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add 10 and Add 26
Kenya	2 September 1990	1 September 1992	13 January 2000	CRC/C/3/Add 62
Mali	20 October 1990	19 October 1992	2 April 1997	CRC/C/3/Add 53
Malta	30 October 1990	29 October 1992	26 December 1997	CRC/C/3/Add 56
Mauritius	2 September 1990	1 September 1992	25 July 1995	CRC/C/3/Add 36
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add 11
Mongolia	2 September 1990	1 September 1992	20 October 1994	CRC/C/3/Add 32
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add 12
Nepal	14 October 1990	13 October 1992	10 April 1995	CRC/C/3/Add 34
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add 25
Niger	30 October 1990	29 October 1992	28 December 2000	CRC/C/3/Add 29/Rev 1
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add 13
Paraguay	25 October 1990	24 October 1992	30 August 1993 and 13 November 1996	CRC/C/3/Add 22 and Add 47
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add 7 and Add 24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add 23
Portugal	21 October 1990	20 October 1992	17 August 1994	CRC/C/3/Add 30
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add 16
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add 5

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Saint Kitts and Nevis	2 September 1990	1 September 1992	21 January 1997	CRC/C/3/Add.51
Senegal	2 September 1990	1 September 1992	12 September 1994	CRC/C/3/Add.31
Seychelles	7 October 1990	6 October 1992	7 February 2001	CRC/C/3/Add.64
Sierra Leone	2 September 1990	1 September 1992	10 April 1996	CRC/C/3/Add.43
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992	27 February 1996	CRC/C/3/Add.42
Uganda	16 September 1990	15 September 1992	1 February 1996	CRC/C/3/Add.40
Uruguay	20 December 1990	19 December 1992	2 August 1995	CRC/C/3/Add.37
Venezuela	13 October 1990	12 October 1992	9 July 1997	CRC/C/3/Add.54
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and Add.21
Zimbabwe	11 October 1990	10 October 1992	23 May 1995	CRC/C/3/Add.35

Initial reports due in 1993

Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993	17 March 1993	CRC/C/8/Add.2 and Add.17
Australia	16 January 1991	15 January 1993	8 January 1996	CRC/C/8/Add.31
Bahamas	22 March 1991	21 March 1993		
Bulgaria	3 July 1991	2 July 1993	29 September 1995	CRC/C/8/Add.29
Colombia	7 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993	22 January 1998	CRC/C/8/Add.41
Croatia	7 November 1991	6 November 1993	8 November 1994	CRC/C/8/Add.19
Cuba	20 September 1991	19 September 1993	27 October 1995	CRC/C/8/Add.30
Cyprus	9 March 1991	8 March 1993	22 December 1994	CRC/C/8/Add.24

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add 8
Djibouti	5 January 1991	4 January 1993	17 February 1998	CRC/C/8/Add 39
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993	1 December 1999	CRC/C/8/Add 40
Estonia	20 November 1991	19 November 1993	7 June 2001	CRC/C/8/Add 45
Ethiopia	13 June 1991	12 June 1993	10 August 1995	CRC/C/8/Add 27
Finland	20 July 1991	19 July 1993	12 December 1994	CRC/C/8/Add 22
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993	28 June 1996	CRC/C/8/Add 34
Israel	2 November 1991	1 November 1993	20 February 2001	CRC/C/8/Add 44
Italy	5 October 1991	4 October 1993	11 October 1994	CRC/C/8/Add 18
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add 12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add 4
Kuwait	20 November 1991	19 November 1993	23 August 1996	CRC/C/8/Add 35
Lao People's Democratic Republic	7 June 1991	6 June 1993	18 January 1996	CRC/C/8/Add 32
Lebanon	13 June 1991	12 June 1993	21 December 1994	CRC/C/8/Add 23
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add 5
Malawi	1 February 1991	31 January 1993	1 August 2000	CRC/C/8/Add 43
Maldives	13 March 1991	12 March 1993	6 July 1994	CRC/C/8/Add 33 and Add 37
Mauritania	15 June 1991	14 June 1993	18 January 2000	CRC/C/8/Add 42
Myanmar	14 August 1991	13 August 1993	14 September 1995	CRC/C/8/Add 9
Nigeria	19 May 1991	18 May 1993	19 July 1995	CRC/C/8/Add 26
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add 7
Panama	11 January 1991	10 January 1993	19 September 1995	CRC/C/8/Add 28
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add 11

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Republic of Korea	20 December 1991	19 December 1993	17 November 1994	CRC/C/8/Add.21
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Slovenia	25 June 1991	24 June 1993	29 May 1995	CRC/C/8/Add.25
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993	23 March 1994	CRC/C/8/Add.13
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993	4 March 1997	CRC/C/8/Add.36
Ukraine	27 September 1991	26 September 1993	8 October 1993	CRC/C/8/Add.10/Rev.1
United Republic of Tanzania	10 July 1991	9 July 1993	20 October 1999	CRC/C/8/Add.14/Rev.1
Yemen	31 May 1991	30 May 1993	14 November 1994	CRC/C/8/Add.20 and Add.38
Yugoslavia	2 February 1991	1 February 1993	21 September 1994	CRC/C/8/Add.16

Initial reports due in 1994

Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994	8 October 1996	CRC/C/11/Add.14
Azerbaijan	12 September 1992	11 September 1994	9 November 1995	CRC/C/11/Add.8
Bahrain	14 March 1992	14 March 1994	3 August 2000	CRC/C/11/Add.24
Belgium	15 January 1992	14 January 1994	12 July 1994	CRC/C/11/Add.4

Initial reports due in 1994 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994	18 December 1997	CRC/C/11/Add 16
Canada	12 January 1992	11 January 1994	17 June 1994	CRC/C/11/Add 3
Cape Verde	4 July 1992	3 July 1994	30 November 1999	CRC/C/11/Add 23
Central African Republic	23 May 1992	23 May 1994	15 April 1998	CRC/C/11/Add 18
China	1 April 1992	31 March 1994	27 March 1995	CRC/C/11/Add 7
Czech Republic	1 January 1993	31 December 1994	4 March 1996	CRC/C/11/Add 11
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994	30 August 1994	CRC/C/11/Add 5
Iceland	27 November 1992	26 November 1994	30 November 1994	CRC/C/11/Add 6
Ireland	28 October 1992	27 October 1994	4 April 1996	CRC/C/11/Add 12
Latvia	14 May 1992	13 May 1994	25 November 1998	CRC/C/11/Add 22
Lesotho	9 April 1992	8 April 1994	27 April 1998	CRC/C/11/Add 20
Lithuania	1 March 1992	28 February 1994	6 August 1998	CRC/C/11/Add 21
Slovakia	1 January 1993	31 December 1994	6 April 1998	CRC/C/11/Add 17
Thailand	26 April 1992	25 April 1994	23 August 1996	CRC/C/11/Add 13
Trinidad and Tobago	4 January 1992	3 January 1994	16 February 1996	CRC/C/11/Add 10
Tunisia	29 February 1992	28 February 1994	16 May 1994	CRC/C/11/Add 2
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994	15 March 1994	CRC/C/11/Add 1, Add 9, Add 15 and Add 15/Corr 1, Add 19
Zambia	5 January 1992	4 January 1994		

Initial reports due in 1995

State party	Date of entry into force	Date due	Date of submission	Symbol
Algeria	16 May 1993	15 May 1995	16 November 1995	CRC/C/28/Add.4
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995	19 February 1997	CRC/C/28/Add.9
Cameroon	10 February 1993	9 February 1995	3 April 2000	CRC/C/28/Add.16
Comoros	22 July 1993	21 July 1995	24 March 1998	CRC/C/28/Add.13
Congo	13 November 1993	12 November 1995		
Fiji	12 September 1993	11 September 1995	12 June 1996	CRC/C/28/Add.7
Greece	10 June 1993	9 June 1995	14 April 2000	CRC/C/28/Add.17
India	11 January 1993	10 January 1995	19 March 1997	CRC/C/28/Add.10
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995	23 May 1996	CRC/C/28/Add.6
Marshall Islands	3 November 1993	2 November 1995	18 March 1998	CRC/C/28/Add.12
Micronesia (Federated States of)	4 June 1993	3 June 1995	16 April 1996	CRC/C/28/Add.5
Monaco	21 July 1993	20 July 1995	9 June 1999	CRC/C/28/Add.15
Morocco	21 July 1993	20 July 1995	27 July 1995	CRC/C/28/Add.1
New Zealand	6 May 1993	5 May 1995	29 September 1995	CRC/C/28/Add.3
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995	5 February 2001	CRC/C/28/Add.19
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995	5 December 2001	CRC/C/28/Add.18
Suriname	31 March 1993	31 March 1995	13 February 1998	CRC/C/28/Add.11
Syrian Arab Republic	14 August 1993	13 August 1995	22 September 1995	CRC/C/28/Add.2
Tajikistan	25 November 1993	24 November 1995	14 April 1998	CRC/C/28/Add.14
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995	27 January 1997	CRC/C/28/Add.8

Initial reports due in 1996

State party	Date of entry into force	Date due	Date of submission	Symbol
Afghanistan	27 April 1994	26 April 1996		
Gabon	11 March 1994	10 March 1996	21 June 2000	CRC/C/41/Add 10
Luxembourg	6 April 1994	5 April 1996	26 July 1996	CRC/C/41/Add 2
Japan	22 May 1994	21 May 1996	30 May 1996	CRC/C/41/Add 1
Mozambique	26 May 1994	25 May 1996	21 June 2000	CRC/C/41/Add 11
Georgia	2 July 1994	1 July 1996	7 April 1997	CRC/C/41/Add 4
Iraq	15 July 1994	14 July 1996	6 August 1996	CRC/C/41/Add 3
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	7 September 1994	6 September 1996	26 May 1999	CRC/C/41/Add 7
Uzbekistan	29 July 1994	28 July 1996	27 December 1999	CRC/C/41/Add 8
Iran (Islamic Republic of)	12 August 1994	11 August 1996	9 December 1997	CRC/C/41/Add 5
Nauru	26 August 1994	25 August 1996		
Eritrea	2 September 1994	1 September 1996	27 July 2001	CRC/C/41/Add 12
Kazakhstan	11 September 1994	10 September 1996		
Kyrgyzstan	6 November 1994	5 November 1996	16 February 1998	CRC/C/41/Add 6
Samoa	29 December 1994	28 December 1996		

Initial reports due in 1997

Netherlands	7 March 1995	6 March 1997	15 May 1997	CRC/C/51/Add 1
Malaysia	19 March 1995	18 March 1997		
Botswana	13 April 1995	12 April 1997		
Qatar	3 May 1995	2 May 1997	29 October 1999	CRC/C/51/Add 5
Turkey	4 May 1995	3 May 1997		

Initial reports due in 1997 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Solomon Islands	10 May 1995	9 May 1997	28 February 2001	CRC/C/51/Add.6
Haiti	8 July 1995	7 July 1997	3 April 2001	CRC/C/51/Add.7
South Africa	16 July 1995	15 July 1997	4 December 1997	CRC/C/51/Add.2
Palau	3 September 1995	3 September 1997	21 October 1998	CRC/C/51/Add.3
Swaziland	6 October 1995	5 October 1997		
Tuvalu	22 October 1995	21 October 1997		
Singapore	4 November 1995	3 November 1997		
Tonga	6 December 1995	5 December 1997		
Initial reports due in 1998				
Kiribati	10 January 1996	9 January 1998		
Niue	19 January 1996	18 January 1998		
Liechtenstein	21 January 1996	20 January 1998	22 September 1998	CRC/C/61/Add.1
Brunei Darussalam	26 January 1996	25 January 1998		
Andorra	1 February 1996	31 January 1998	27 July 2000	CRC/C/61/Add.3
Saudi Arabia	25 February 1996	24 February 1998	21 October 1999	CRC/C/61/Add.2
Initial reports due in 1999				
Oman	8 January 1997	7 January 1999	5 July 1999	CRC/C/78/Add.1
United Arab Emirates	2 February 1997	1 February 1999	15 April 2000	CRC/C/78/Add.2
Switzerland	26 March 1997	25 March 1999	19 January 2001	CRC/C/78/Add.3
Cook Islands	6 July 1997	5 July 1999		
Initial reports due in 2000				
Netherlands (Netherlands Antilles)	17 February 1998	16 February 2000	22 January 2001	CRC/C/107/Add.1

Second periodic reports due in 1997

State party	Date due	Date of submission	Symbol
Bangladesh	1 September 1997	12 June 2001	CRC/C/65/Add.21
Barbados	7 November 1997		
Belarus	30 October 1997	20 May 1999	CRC/C/65/Add.14
Belize	1 September 1997		
Benin	1 September 1997		
Bhutan	1 September 1997		
Bolivia	1 September 1997	12 August 1997	CRC/C/65/Add.1
Brazil	23 October 1997		
Burkina Faso	29 September 1997	11 October 1999	CRC/C/65/Add.18
Burundi	17 November 1997		
Chad	31 October 1997		
Chile	11 September 1997	10 February 1999	CRC/C/65/Add.13
Costa Rica	20 September 1997	20 January 1998	CRC/C/65/Add.7
Democratic People's Republic of Korea	20 October 1997		
Democratic Republic of the Congo	26 October 1997		
Ecuador	1 September 1997		
Egypt	1 September 1997	18 September 1998	CRC/C/65/Add.9
El Salvador	1 September 1997		
France	5 September 1997		
Gambia	6 September 1997		

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Ghana	1 September 1997		
Grenada	4 December 1997		
Guatemala	1 September 1997	7 October 1998	CRC/C/65/Add.10
Guinea	1 September 1997		
Guinea-Bissau	18 September 1997		
Holy See	1 September 1997		
Honduras	8 September 1997	18 September 1997	CRC/C/65/Add.2
Indonesia	4 October 1997		
Kenya	1 September 1997		
Mali	19 October 1997		
Malta	29 October 1997		
Mauritius	1 September 1997		
Mexico	20 October 1997	14 January 1998	CRC/C/65/Add.6
Mongolia	1 September 1997		
Namibia	29 October 1997		
Nepal	13 October 1997		
Nicaragua	3 November 1997	12 November 1997	CRC/C/65/Add.4
Niger	29 October 1997		
Pakistan	11 December 1997	19 January 2001	CRC/C/65/Add.20
Paraguay	24 October 1997	12 October 1998	CRC/C/65/Add.12
Peru	3 October 1997	25 March 1998	CRC/C/65/Add.8
Philippines	19 September 1997		
Portugal	20 October 1997	8 October 1998	CRC/C/65/Add.11
Romania	27 October 1997	18 January 2000	CRC/C/65/Add.19
Russian Federation	14 September 1997	12 January 1998	CRC/C/65/Add.5

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Saint Kitts and Nevis	1 September 1997		
Senegal	1 September 1997		
Seychelles	6 October 1997		
Sierra Leone	1 September 1997		
Sudan	1 September 1997	7 July 1999	CRC/C/65/Add.15
Sweden	1 September 1997	25 September 1997	CRC/C/65/Add.3
Togo	1 September 1997		
Uganda	15 September 1997		
Uruguay	19 December 1997		
Venezuela	12 October 1997		
Viet Nam	1 September 1997	10 May 2000	CRC/C/65/Add.20
Zimbabwe	10 October 1997		

Second periodic reports due in 1998

Angola	3 January 1998		
Argentina	2 January 1998	12 August 1999	CRC/C/70/Add.16
Australia	15 January 1998		
Bahamas	21 March 1998		
Bulgaria	2 July 1998		
Colombia	26 February 1998	9 September 1998	CRC/C/70/Add.5
Côte d'Ivoire	5 March 1998		
Croatia	7 October 1998		
Cuba	19 September 1998		
Cyprus	8 March 1998	15 September 2000	CRC/C/70/Add.16

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Denmark	17 August 1998	15 September 1998	CRC/C/70/Add.6
Djibouti	4 January 1998		
Dominica	11 April 1998		
Dominican Republic	10 July 1998		
Estonia	19 November 1998		
Ethiopia	12 June 1998	28 September 1998	CRC/C/70/Add.7
Finland	19 July 1998	3 August 1998	CRC/C/70/Add.3
Guyana	12 February 1998		
Hungary	5 November 1998		
Israel	1 November 1998		
Italy	4 October 1998	21 March 2000	CRC/C/70/Add.13
Jamaica	12 June 1998	16 May 2000	CRC/C/70/Add.15
Jordan	22 June 1998	5 August 1998	CRC/C/70/Add.4
Kuwait	19 November 1998		
Lao People's Democratic Republic	6 June 1998		
Lebanon	12 June 1998	4 December 1998	CRC/C/70/Add.8
Madagascar	17 April 1998	12 February 2001	CRC/C/70/Add.18
Malawi	31 January 1998		
Maldives	12 March 1998		
Mauritania	14 June 1998		
Myanmar	13 August 1998		
Nigeria	18 May 1998		
Norway	6 February 1998	1 July 1998	CRC/C/70/Add.2
Panama	10 January 1998		
Poland	6 July 1998	2 December 1999	CRC/C/70/Add.12

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Republic of Korea	19 December 1998	1 May 2000	CRC/C/70/Add.14
Rwanda	22 February 1998		
San Marino	24 December 1998		
Sao Tome and Principe	12 June 1998		
Slovenia	24 June 1998	18 September 2001	CRC/C/70/Add.19
Spain	4 January 1998	1 June 1999	CRC/C/70/Add.9
Sri Lanka	10 August 1998	21 September 2000	CRC/C/70/Add.17
The former Yugoslav Republic of Macedonia	16 September 1998		
Ukraine	26 September 1998	12 August 1999	CRC/C/70/Add.11
United Republic of Tanzania	9 July 1998		
Yemen	30 May 1998	3 February 1998	CRC/C/70/Add.1
Yugoslavia	1 February 1998		

Second periodic reports due in 1999

Albania	27 March 1999		
Austria	4 September 1999		
Azerbaijan	11 September 1999		
Bahrain	14 March 1999		
Belgium	15 January 1999	7 May 1999	CRC/C/83/Add.2
Bosnia and Herzegovina	5 March 1999		
Cambodia	15 November 1999		
Canada	11 January 1999	3 May 2001	CRC/C/83/Add.6
Cape Verde	3 July 1999		
Central African Republic	23 May 1999		

Second periodic reports due in 1999 (continued)

State party	Date due	Date of submission	Symbol
China	31 March 1999		
Czech Republic	31 December 1999	3 March 2000	CRC/C/83/Add.4
Equatorial Guinea	14 July 1999		
Germany	4 May 1999	23 July 1999	CRC/C/83/Add.7
Iceland	26 November 1999	27 April 2000	CRC/C/83/Add.5
Ireland	27 October 1999		
Latvia	13 May 1999		
Lesotho	8 April 1999		
Lithuania	28 February 1999		
Slovakia	31 December 1999		
Thailand	25 April 1999		
Trinidad and Tobago	3 January 1999		
Tunisia	28 February 1999	16 March 1999	CRC/C/83/Add.1
United Kingdom of Great Britain and Northern Ireland	14 January 1999	14 September 1999	CRC/C/83/Add.3
Zambia	4 January 1999		

Second periodic reports due in 2000

Algeria	15 May 2000
Antigua and Barbuda	3 November 2000
Armenia	5 August 2000
Cameroon	9 February 2000
Comoros	21 July 2000
Congo	12 November 2000
Federated States of Micronesia	3 June 2000
Fiji	11 September 2000
Greece	9 June 2000
Liberia	3 July 2000

Second periodic reports due in 2000 (continued)

State party	Date due	Date of submission	Symbol
India	10 January 2000		
Libyan Arab Jamahiriya	14 May 2000	8 August 2000	CRC/C/93/Add 1
Marshall Islands	2 November 2000		
Monaco	20 July 2000		
Morocco	20 July 2000	13 October 2000	CRC/C/93/Add 3
New Zealand	5 May 2000	19 February 2001	CRC/C/93/Add 4
Papua New Guinea	31 March 2000		
Republic of Moldova	24 February 2000		
Saint Lucia	15 July 2000		
Saint Vincent and the Grenadines	24 November 2000		
Suriname	31 March 2000		
Syrian Arab Republic	13 August 2000	15 August 2000	CRC/C/93/Add 2
Tajikistan	24 November 2000		
Turkmenistan	19 October 2000		
Vanuatu	5 August 2000		

Second periodic reports due in 2001

Gabon	10 March 2001		
Luxembourg	5 April 2001		
Afghanistan	26 April 2001		
Japan	21 May 2001		
Mozambique	25 May 2001		
Georgia	1 July 2001	29 June 2001	CRC/C/104/Add 1
Iraq	14 July 2001		
Uzbekistan	28 July 2001		
Iran (Islamic Republic of)	11 August 2001		
Nauru	25 August 2001		

Second periodic reports due in 2001 (continued)

State party	Date due	Date of submission	Symbol
Eritrea	1 September 2001		
Kazakhstan	10 September 2001		
Kyrgyzstan	5 November 2001		
Samoa	28 December 2001		

Annex VI

LIST OF INITIAL AND SECOND PERIODIC REPORTS CONSIDERED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD AS AT 12 OCTOBER 2001

	State party reports	Observations adopted by the Committee
Third session (January 1993)		
Bolivia	CRC/C/3/Add.2	CRC/C/15/Add.1
Sweden	CRC/C/3/Add.1	CRC/C/15/Add.2
Viet Nam	CRC/C/3/Add.4 and 21	CRC/C/15/Add.3
Russian Federation	CRC/C/3/Add.5	CRC/C/15/Add.4
Egypt	CRC/C/3/Add.6	CRC/C/15/Add.5
Sudan	CRC/C/3/Add.3	CRC/C/15/Add.6 (preliminary)
Fourth Session (September-October 1993)		
Indonesia	CRC/C/3/Add.10	CRC/C/15/Add.7 (preliminary)
Peru	CRC/C/3/Add.7	CRC/C/15/Add.8
El Salvador	CRC/C/3/Add.9 and 28	CRC/C/15/Add.9
Sudan	CRC/C/3/Add.3 and 20	CRC/C/15/Add.10
Costa Rica	CRC/C/3/Add.8	CRC/C/15/Add.11
Rwanda	CRC/C/8/Add.1	CRC/C/15/Add.12 (preliminary)
Fifth session (January 1994)		
Mexico	CRC/C/3/Add.11	CRC/C/15/Add.13
Namibia	CRC/C/3/Add.12	CRC/C/15/Add.14
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.15 (preliminary)
Romania	CRC/C/3/Add.16	CRC/C/15/Add.16
Belarus	CRC/C/3/Add.14	CRC/C/15/Add.17

	State party reports	Observations adopted by the Committee
Sixth session (April 1994)		
Pakistan	CRC/C/3/Add.13	CRC/C/15/Add.18
Burkina Faso	CRC/C/3/Add.19	CRC/C/15/Add.19
France	CRC/C/3/Add.15	CRC/C/15/Add.20
Jordan	CRC/C/8/Add.4	CRC/C/15/Add.21
Chile	CRC/C/3/Add.18	CRC/C/15/Add.22
Norway	CRC/C/8/Add.7	CRC/C/15/Add.23
Seventh session (September-October 1994)		
Honduras	CRC/C/3/Add.17	CRC/C/15/Add.24
Indonesia	CRC/C/3/Add.10 and 26	CRC/C/15/Add.25
Madagascar	CRC/C/8/Add.5	CRC/C/15/Add.26
Paraguay	CRC/C/3/Add.22	CRC/C/15/Add.27 (preliminary)
Spain	CRC/C/8/Add.6	CRC/C/15/Add.28
Argentina	CRC/C/8/Add.2 and 17	CRC/C/15/Add.35 (adopted at the eighth session)
Eighth session (January 1995)		
Philippines	CRC/C/3/Add.23	CRC/C/15/Add.29
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.30
Poland	CRC/C/8/Add.11	CRC/C/15/Add.31
Jamaica	CRC/C/8/Add.12	CRC/C/15/Add.32
Denmark	CRC/C/8/Add.8	CRC/C/15/Add.33
United Kingdom of Great Britain and Northern Ireland	CRC/C/11/Add.1	CRC/C/15/Add.34
Ninth session (May-June 1995)		
Nicaragua	CRC/C/3/Add.25	CRC/C/15/Add.36
Canada	CRC/C/11/Add.3	CRC/C/15/Add.37
Belgium	CRC/C/11/Add.4	CRC/C/15/Add.38
Tunisia	CRC/C/11/Add.2	CRC/C/15/Add.39
Sri Lanka	CRC/C/8/Add.13	CRC/C/15/Add.40

	State party reports	Observations adopted by the Committee
Tenth session (October-November 1995)		
Italy	CRC/C/8/Add 18	CRC/C/15/Add 41
Ukraine	CRC/C/8/Add 10/Rev 1	CRC/C/15/Add 42
Germany	CRC/C/11/Add 5	CRC/C/15/Add 43
Senegal	CRC/C/3/Add 31	CRC/C/15/Add 45
Portugal	CRC/C/3/Add 30	CRC/C/15/Add 46
Holy See	CRC/C/3/Add 27	CRC/C/15/Add 47
Eleventh session (January 1996)		
Yemen	CRC/C/8/Add 20	CRC/C/15/Add 47
Mongolia	CRC/C/3/Add 32	CRC/C/15/Add 48
Yugoslavia	CRC/C/8/Add 26	CRC/C/15/Add 49
Iceland	CRC/C/11/Add 6	CRC/C/15/Add 50
Republic of Korea	CRC/C/8/Add 21	CRC/C/15/Add 51
Croatia	CRC/C/8/Add 19	CRC/C/15/Add 52
Finland	CRC/C/8/Add 22	CRC/C/15/Add 53
Twelfth session (May-June 1996)		
Lebanon	CRC/C/18/Add 23	CRC/C/15/Add 54
Zimbabwe	CRC/C/3/Add 35	CRC/C/15/Add 55
China	CRC/C/11/Add 7	CRC/C/15/Add 56
Nepal	CRC/C/3/Add 34	CRC/C/15/Add 57
Guatemala	CRC/C/3/Add 33	CRC/C/15/Add 58
Cyprus	CRC/C/8/Add 24	CRC/C/15/Add 59
Thirteenth session (September-October 1996)		
Morocco	CRC/C/28/Add 1	CRC/C/15/Add 60
Nigeria	CRC/C/8/Add 26	CRC/C/15/Add 61
Uruguay	CRC/C/3/Add 37	CRC/C/15/Add 62
United Kingdom (Hong Kong)	CRC/C/11/Add 9	CRC/C/15/Add 63
Mauritius	CRC/C/3/Add 36	CRC/C/15/Add 64
Slovenia	CRC/C/8/Add 25	CRC/C/15/Add 65

	State party reports	Observations adopted by the Committee
Fourteenth session (January 1997)		
Ethiopia	CRC/C/8/Add.27	CRC/C/15/Add.66
Myanmar	CRC/C/8/Add.9	CRC/C/15/Add.67
Panama	CRC/C/8/Add.28	CRC/C/15/Add.68
Syrian Arab Republic	CRC/C/28/Add.2	CRC/C/15/Add.69
New Zealand	CRC/C/28/Add.3	CRC/C/15/Add.70
Bulgaria	CRC/C/8/Add.29	CRC/C/15/Add.71
Fifteenth session (May-June 1997)		
Cuba	CRC/C/8/Add.30	CRC/C/15/Add.72
Ghana	CRC/C/3/Add.39	CRC/C/15/Add.73
Bangladesh	CRC/C/3/Add.38 and 49	CRC/C/15/Add.74
Paraguay	CRC/C/3/Add.22 and 47	CRC/C/15/Add.75
Algeria	CRC/C/28/Add.4	CRC/C/15/Add.76
Azerbaijan	CRC/C/11/Add.8	CRC/C/15/Add.77
Sixteenth session (September-October 1997)		
Lao People's Democratic Republic	CRC/C/8/Add.32	CRC/C/15/Add.78
Australia	CRC/C/8/Add.31	CRC/C/15/Add.79
Uganda	CRC/C/3/Add.40	CRC/C/15/Add.80
Czech Republic	CRC/C/11/Add.11	CRC/C/15/Add.81
Trinidad and Tobago	CRC/C/11/Add.10	CRC/C/15/Add.82
Togo	CRC/C/3/Add.42	CRC/C/15/Add.83
Seventeenth session (January 1998)		
Libyan Arab Jamahiriya	CRC/C/28/Add.6	CRC/C/15/Add.84
Ireland	CRC/C/11/Add.12	CRC/C/15/Add.85
Micronesia (Federated States of)	CRC/C/28/Add.5	CRC/C/15/Add.86

	State party reports	Observations adopted by the Committee
Eighteenth session (May-June 1998)		
Hungary	CRC/C/8/Add.34	CRC/C/15/Add.87
Democratic People's Republic of Korea	CRC/C/3/Add.41	CRC/C/15/Add.88
Fiji	CRC/C/28/Add.7	CRC/C/15/Add.89
Japan	CRC/C/41/Add.1	CRC/C/15/Add.90
Maldives	CRC/C/8/Add.33 and 37	CRC/C/15/Add.91
Luxembourg	CRC/C/41/Add.2	CRC/C/15/Add.92
Nineteenth session (September-October 1998)		
	Initial Reports	
Ecuador	CRC/C/3/Add.44	CRC/C/15/Add.93
Iraq	CRC/C/41/Add.3	CRC/C/15/Add.94
Thailand	CRC/C/11/Add.13	CRC/C/15/Add.96
Kuwait	CRC/C/8/Add.35	CRC/C/15/Add.97
	Second periodic reports	
Bolivia	CRC/C/65/Add.1	CRC/C/15/Add.95
Twentieth session (January 1999)		
	Initial reports	
Austria	CRC/C/11/Add.14	CRC/C/15/Add.98
Belize	CRC/C/3/Add.46	CRC/C/15/Add.99
Guinea	CRC/C/3/Add.48	CRC/C/15/Add.100
	Second periodic reports	
Sweden	CRC/C/65/Add.3	CRC/C/15/Add.101
Yemen	CRC.C.70/Add.1	CRC/C/15/Add.102

	State party reports	Observations adopted by the Committee
Twenty-first session (17 May-4 June 1999)		
	Initial reports	
Barbados	CRC/C/3/Add.45	CRC/C/15/Add.103
St. Kitts and Nevis	CRC/C/3/Add.51	CRC/C/15/Add.104
Benin	CRC/C/3/Add.52	CRC/C/15/Add.106
Chad	CRC/C/3/Add.50	CRC/C/15/Add.107
	Second periodic reports	
Honduras	CRC/C/65/Add.2	CRC/C/15/Add.105
Nicaragua	CRC/C/65/Add.4	CRC/C/15/Add.108
Twenty-second session (20 September-8 October 1999)		
	Initial reports	
Venezuela	CRC/C/3/Add.54 and 59	CRC/C/15/Add.109
Vanuatu	CRC/C/28/Add.8	CRC/C/15/Add.111
Mali	CRC/C/3/Add.53	CRC/C/15/Add.113
Netherlands	CRC/C/51/Add.1	CRC/C/15/Add.114
	Second periodic reports	
Russian Federation	CRC/C/65/Add.5	CRC/C/15/Add.10
Mexico	CRC/C/65/Add.6	CRC/C/15/Add.112
Twenty-third session (10-28 January 2000)		
	Initial reports	
India	CRC/C/28/Add.10	CRC/C/15/Add.115
Sierra Leone	CRC/C/3/Add.43	CRC/C/15/Add.116
The former Yugoslav Republic of Macedonia	CRC/C/8/Add.36	CRC/C/15/Add.118
South Africa	CRC/C/51/Add.2	CRC/C/15/Add.122
Armenia	CRC/C/28/Add.9	CRC/C/15/Add.119
Grenada	CRC/C/3/Add.55	CRC/C/15/Add.121

	State party reports	Observations adopted by the Committee
	Second periodic reports	
Peru	CRC/C/65/Add.8	CRC/C/15/Add.120
Costa Rica	CRC/C/65/Add.7	CRC/C/15/Add.117
Twenty-fourth session (15 May-2 June 2000)		
	Initial reports	
Iran (Islamic Republic of)	CRC/C/41/Add.5	CRC/C/15/Add.123
Georgia	CRC/C/41/Add.4/Rev.1	CRC.C/15/Add.124
Kyrgyzstan	CRC/C/41/Add.6	CRC.C/15/Add.127
Cambodia	CRC/C/11/Add.16	CRC.C/15/Add.128
Malta	CRC/C/3/Add.56	CRC.C/15/Add.129
Suriname	CRC/C/28/Add.11	CRC.C/15/Add.130
Djibouti	CRC/C/8/Add.39	CRC.C/15/Add.131
	Second periodic reports	
Jordan	CRC/C/70/Add.4	CRC/C/15/Add.125
Norway	CRC/C/70/Add.2	CRC/C/15/Add.126
Twenty-fifth session (18 September-6 October 2000)		
	Initial reports	
Burundi	CRC/C/3/Add.58	CRC/C/15/Add.133
United Kingdom of Great Britain and Northern Ireland (Isle of Man)	CRC/C/11/Add.19 and Corr.1	CRC/C/15/Add.134
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	CRC/C/41/Add.7 and 9	CRC/C/15/Add.135
Tajikistan	CRC/C/28/Add.14	CRC/C/15/Add.136
Central African Republic	CRC/C/11/Add.18	CRC/C/15/Add.138
Marshall Islands	CRC/C/32/Add.12	CRC/C/15/Add.139
Slovakia	CRC/C/11/Add.17	CRC/C/15/Add.140
Comoros	CRC/C/28/Add.13	CRC/C/15/Add.141

	State party reports	Observations adopted by the Committee
	Second periodic reports	
Finland	CRC/C/70/Add.3	CRC/C/15/Add.132
Colombia	CRC/C/70/Add.5	CRC/C/15/Add.137
Twenty-sixth session (8-26 January 2001)		
	Initial reports	
Latvia	CRC.C/11/Add.22	CRC/C/15/Add.142
Liechtenstein	CRC.C/61/Add.1	CRC/C/15/Add.143
Lithuania	CRC.C/11/Add.21	CRC/C/15/Add.146
Lesotho	CRC.C/11/Add.20	CRC/C/15/Add.147
Saudi Arabia	CRC.C/61/Add.2	CRC/C/15/Add.148
Palau	CRC.C/51/Add.3	CRC/C/15/Add.149
Dominica Republic	CRC.C/8/Add.40 and 44	CRC/C/15/Add.150
	Second periodic reports	
Ethiopia	CRC/C/70/Add.7	CRC/C/15/Add.144
Egypt	CRC/C/65/Add.9	CRC/C/15/Add.145
Twenty-seventh session (21 May-8 June 2001)		
	Initial reports	
Turkey	CRC/C/51/Add.4	CRC/C/15/Add.152
Democratic Republic of the Congo	CRC/C/3/Add.57	CRC/C/15/Add.153
Côte d'Ivoire	CRC/C/8/Add.41	CRC/C/15/Add.155
United Republic of Tanzania	CRC/C/8/Add.14/Rev.1	CRC/C/15/Add.156
Bhutan	CRC/C/3/Add.60	CRC/C/15/Add.157
Monaco	CRC/C/28/Add.15	CRC/C/15/Add.158
	Second periodic reports	
Denmark	CRC/C/70/Add.6	CRC/C/15/Add.151
Guatemala	CRC/C/65/Add.10	CRC/C/15/Add.154

	State party reports	Observations adopted by the Committee
Twenty-eighth session (24 September-12 October 2001)		
	Initial reports	
Mauritania	CRC/C/8/Add.42	CRC/C/15/Add.159
Kenya	CRC/C/3/Add.62	CRC/C/15/Add.160
Oman	CRC/C/78/Add.1	CRC/C/15/Add.161
Qatar	CRC/C/51/Add.5	CRC/C/15/Add.163
Cameroon	CRC/C/28/Add.16	CRC/C/15/Add.164
Gambia	CRC/C/3/Add.61	CRC/C/15/Add.165
Uzbekistan	CRC/C/41/Add.8	CRC/C/15/Add.167
Cape Verde	CRC/C/11/Add.23	CRC/C/15/Add.168
	Second periodic reports	
Portugal	CRC/C/65/Add.11	CRC/C/15/Add.162
Paraguay	CRC/C/65/Add.12	CRC/C/15/Add.166

Annex VII

PROVISIONAL LIST OF REPORTS SCHEDULED FOR CONSIDERATION AT THE COMMITTEE'S TWENTY-NINTH AND THIRTIETH SESSIONS

Twenty-ninth session
(14 January-1 February 2002)

Initial reports

Greece	CRC/C/28/Add.17
Gabon	CRC/C/41/Add.10
United Arab Emirates	CRC/C/78/Add.2
Mozambique	CRC/C/41/Add.11
Andorra	CRC/C/61/Add.3
Malawi	CRC/C/8/Add.43
Bahrain	CRC/C/11/Add.24

Second periodic reports

Lebanon	CRC/C/70/Add.8
Chile	CRC/C/65/Add.13

Thirtieth session
(20 May-7 June 2002)

Initial reports

Guinea-Bissau	CRC/C/3/Add.63
St. Vincent and the Grenadines	CRC/C/28/Add.18
Niger	CRC/C/3/Add.29/Rev.1
Netherlands Antilles	CRC/C/107/Add.1

Second periodic reports

Tunisia	CRC/C/83/Add.1
Belgium	CRC/C/83/Add.2
Belarus	CRC/C/65/Add.15
Spain	CRC/C/70/Add.9

Annex VIII

DAY OF GENERAL DISCUSSION ON "VIOLENCE AGAINST CHILDREN WITHIN THE FAMILY AND IN SCHOOLS" 28 SEPTEMBER 2001

LIST OF SUBMISSIONS RECEIVED

1. International Federation of Social Workers "Violence against children in the family and in schools" (4 pp.)

2. Population Council-Pakistan, "Violence against children within the family and in schools" (6 pp.)

3. Toivo Rönkä "Violence against children within the family and in schools" (8 pp.)

4. NGO Group for the Convention on the Rights of the Child, Education, Literacy and Media Subgroup and Sexual Exploitation against Children Subgroup, "Violence against children within the family and in schools" (6 pp.)

5. End Physical Punishment of Children (EPOCH) New Zealand, "Violence against children within the family and in schools" (5 pp.)

6. Families First, "Not without reason: the place of physical correction in the discipline of children" (33 pp.)

7. Article 12, "Violence against children within the family" (2 pp.)

8. Daniel Mbassa Menick, "Les abus sexuels en milieu scolaire au Cameroun" (9 pp.)

9. Global Initiative to End All Corporal Punishment of Children, "Violence against children within the family and in schools" (5 pp.)

10. Children are unbeatable! Alliance, "Violence against children within the family in schools" (6 pp.)

11. Coalition Pravda Detyam "Communication on discrimination against schoolchildren belonging to ethnic minorities in the Russian area of Krasnador as a factor contributing to the growth of violence among students" (4 pp.)

12. UNICEF - South Asia "Corporal punishment in schools in South Asia" (28 pp.)

13. World Organization against Torture, "Violence against children in the family" (23 pp.)

14. James W. Prescott, "Ending violence against children and women world-wide" (8 pp.)

15. Children's Rights Alliance for England, "Violence against children within the family and in schools" (6 pp.)

16. Save the Children UK, Sweden and Spain, "Physical punishment of children" (29 pp.)

17. Human Rights Watch, "Violence against children in schools" (14 pp.)

18. SOS Kinderdorf International, "Supporting children in dealing with the impact of violence" (12 pp.)

19 NGO Coalition on Child Rights - Pakistan, "Community-based study on violence in the school and in the home, No. 1" (20 pp.)

20. NGO Coalition on Child Rights - Pakistan, "Community-based study on violence in the school and in the home No. 2" (30 pp.)

21. UNICEF, Innocenti Digest "Domestic violence against women and girls" (30 pp.)

22. EPOCH-USA, "Violence against children within the family and in schools" (4 pp.)

23. United Nations Centre for International Crime Prevention, "Violence against children within the family and in schools" (3 pp.)

24. United School, Nepal "Violence against children in schools" (2 pp.)

25. UNICEF-WCARO, "Corporal punishment in countries covered by the UNICEF West and Central Africa Office" (8 pp.)

26. WHO-ROE, "Violence prevention activities combined with the implementation of the Convention on the Rights of the Child at WHO Regional Office for Europe" (4 pp.)

27. European Network of Ombudsmen for Children (ENOCH) "ENOCH comes out against corporal punishment" (2 pp.)

28. WHO, "Prevention of child abuse and neglect: making the links between human rights and public health" (12 pp.)

29. Consortium for Street Children UK, "Violence against children within the family" (16 pp.)

30. World Vision International, "Violence against children within the family" (24 pp.)

31. Defence for Children International, "Submission" (2 pp.)

Annex IX

LIST OF DOCUMENTS ISSUED FOR THE TWENTY-EIGHTH SESSION OF THE COMMITTEE

CRC/C/3/Add 61	Initial report of Gambia
CRC/C/3/Add 62	Initial report of Kenya
CRC/C/8/Add 42	Initial report of Mauritania
CRC/C/11/Add 23	Initial report of Cape Verde
CRC/C/28/Add 16	Initial report of Cameroon
CRC/C/40/Rev 19	Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee
CRC/C/41/Add 8	Initial report of Uzbekistan
CRC/C/51/Add 5	Initial report of Qatar
CRC/C/65/Add 11	Second periodic report of Portugal
CRC/C/65/Add 12	Second periodic report of Paraguay
CRC/C/78/Add 1	Second periodic report of Oman
CRC/C/109	Provisional agenda and annotations
CRC/C/110	Note by the Secretary-General on the States parties to the Convention and the status of submission of reports
CRC/C/SR 722-749	Summary records of the twenty-eighth session

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